

THE 95TH CONGRESS AND ENERGY POLICY

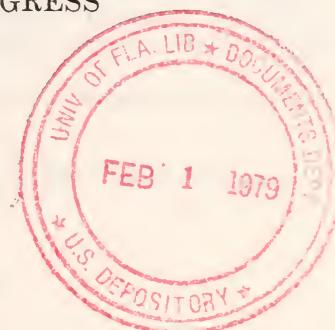
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A STUDY

PREPARED AT THE REQUEST OF THE
SUBCOMMITTEE ON ENERGY AND POWER
COMMITTEE ON
INTERSTATE AND FOREIGN COMMERCE
UNITED STATES
HOUSE OF REPRESENTATIVES

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LETTER OF TRANSMITTAL

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Hon. JOHN D. DINGELL,
*Chairman, Subcommittee on Energy and Power,
Committee on Interstate and Foreign Commerce,
U.S. House of Representatives, Washington, D.C.*

DEAR MR. DINGELL: In response to your request I am transmitting herewith a manuscript entitled: "The 95th Congress and Energy Policy." This review of the progress of energy legislation during the last Congress was prepared by Frances Gulick and Robert Bamberger with the assistance of Warren Donnelly, Senior Specialist, Carl Behrens, David Gushee, John Jimison, Donna Kramer, Lawrence Kumins, David Lindahl, Gary Pagliano, Duane Thompson, Adrienne Grenfell, and Susan Abbasi, all of the Environment and Natural Resources Policy Division; Marcia Smith, Lani Raleigh, Migdon Segal and Glen Moore, of the Science Policy Research Division; Russell Profozich of the Economics Division; Kristin Vajs of the Library Services Division.

We have enjoyed the opportunity to be of assistance to you and your Committee in this strategic area.

Sincerely,

GILBERT GUDE, *Director.*



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LETTER OF REQUEST

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ENERGY AND POWER,
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
November 3, 1978

Hon. GILBERT GUDE,
*Director, Congressional Research Service,
Library of Congress, Washington, D.C.*

DEAR MR. GUDE: After each of the last several Congresses, the Environment and Natural Resources Division of CRS has authored a document summarizing the energy policy activities and achievements of that Congress. The 95th Congress has been perhaps more involved than any Congress to date in critical energy policy judgments.

This letter is for the purpose of requesting that such a document be prepared for the 95th Congress. It should deal with the entire scope of energy policy activities and include useful bibliographical and statutory appendices. The Subcommittee on Energy and Power would be willing to consider publishing this report as a committee print when completed.

Sincerely,

JOHN D. DINGELL, *Chairman.*

ABSTRACT AND INTRODUCTION

A major reassessment of U.S. energy policy has been under way since 1973, when the OPEC-led crude oil price increases jolted the Administration and Congress into the first sharp awareness of U.S. dependence on foreign oil imports and the fact that the days of cheap oil and gasoline were numbered.

The 95th Congress opened with a substantial stock of significant energy authorities and programs already enacted during the initial stages of this reassessment. Nevertheless, U.S. dependence on imported oil had continued to increase and the bill for that oil had risen by the end of 1976 to \$30 billion. The new President and his Administration had promised a bold new program to confront the problem and early in the first session it was announced and launched.

THE ADMINISTRATION'S PROPOSALS

In April 1977, President Carter formally presented the outlines of a comprehensive new energy plan and a collective legislative and administrative program to implement it.

In addition to the programs proposed in the Administration's omnibus National Energy Act—tax and other incentives and disincentives for energy conservation, conversion to coal, utility rate reform, a crude oil equalization tax, and extension of Federal control over intrastate natural gas prices—the Administration also proposed dramatic changes in energy organization and nuclear policy in separate legislation on which the 95th Congress also acted.

The proposals were intended to achieve by 1985 a series of specific quantitative production and conservation goals. Urgency of national action was predicated on a judgment that the world's demand for oil and natural gas, if not significantly moderated, would exceed world productive capacity as early as 1985, threatening "catastrophe". The President called for a national response that would be "the moral equivalent of war."

Few of the proposed specific program incentives and disincentives included in the National Energy Policy Act represented any marked divergence from energy legislation already enacted, or in the case of the taxing measures, proposals which had not already been thoroughly considered or passed by the House during the 93d and 94th Congresses. With the exception of nuclear policies, Congressional enactments in the 95th Congress primarily continued or strengthened conservation, natural gas, solar, coal conversion and utility rate programs and proposals for which legislation was already on the books or had been proposed and debated at length in earlier Congresses.

However, although most of the programs were not new, there were several distinctive policy features in the Administration's proposals which sought to provide a different rationale within which policies and programs could be understood and future program initiatives could be developed and accommodated. To these distinctive proposals the 95th Congress provided its own distinctive response.

THE ADMINISTRATION'S DISTINCTIVE POLICY INITIATIVES

The following concepts proposed by the President represented fairly radical departures from earlier policy assumptions.

President Carter and his new energy advisors:

Claimed the prerogative of a leading Federal role in determining national energy policy.

Declared U.S. intent to try to halt the spread of nuclear weapons capability throughout the world, by suspending reprocessing of spent fuels, stopping work on the plutonium breeder reactor, and subjecting U.S. nuclear exports, and foreign assistance generally to related self-denying nuclear constraints.

Asserted a new domestic energy pricing concept based on oil-import replacement costs.

Proposed a crude oil equalization tax (COET) on domestic oil producers, as the primary tool by which this new pricing policy would be put into effect.

Proposed to capture as tax revenue, through COET, the difference between domestic crude oil and world oil prices, to take "excessive profits" from the producers and rebate them to consumers in keeping with equity and other social goals.

Gave conservation efforts priority over efforts to increase supply.

Proclaimed a new definition of the energy problem facing the United States, placing it in a world context of mid-1980s oil-import stringency to be met with an oil import reduction strategy, to be measured by specific 1985 conservation and fuel switching goals. Imports were to be held to 6 million barrels of oil a day.

THE DISTINCTIVE CONGRESSIONAL RESPONSE

When the dust settled after the 95th Congress adjourned, some three dozen energy related enactments defined the 95th Congress's response to these policy initiatives.

Collectively, the Congressional enactments quite clearly supported and endorsed the Administration's assertions that—

The Federal Government should take the leading role in determining national energy policy;

The proliferation of nuclear weapons capability should be discouraged; and that

The price of energy should reflect its oil import replacement costs.

However, Congress left unsettled such key nuclear issues as licensing of U.S. nuclear plants, recycling of spent fuels and the future of U.S. nuclear breeder plants and programs and did not accept the following four major policy concepts or proposals put forward in the President's first important exercise of his leading Federal policy making role.

Collectively, the 95th Congress:

Rejected the President's proposed crude oil equalization tax as the method of achieving higher oil prices;

Rejected the COET income redistribution concept but did not reach agreement on any alternate energy tax fund concept;

Strongly criticized the President's claim that conservation be given the dominant role and enacted a significant series of tax,

grant and loan incentives intended to encourage the production of new fuels and new fuel using equipment as an essential complement to a strong conservation program.

Implicitly rejected the President's diagnosis of the problem in a world context or otherwise, dropping all references to specific oil import or other quantitative energy goals, or to a 1985 target date.

As the 95th Congress ended, the policy focus on the part of both the Administration and the Congress seemed to be shifting to a broader time frame and a broader perspective.

Since 1973, presidential and congressional programs and proposals have concentrated, with various rationales and accompanying quantitative goals, on how to limit or reduce U.S. oil import dependence.

Now, there is much less attention being paid to a given target date, 1985 or otherwise, or even to specific quantitative energy supply or conservation goals.

The Congress conceded that oil import dependence is likely to continue well beyond 1985 and, in the absence of a severe recession, naval war or prolonged embargo, at levels considerably higher than the six million barrels of oil per day targeted in the NEP.

The Congress realized that the massive and comprehensive replacement of petroleum-using capital stock—residential, commercial, industrial, and personal transport—needed to reduce dependence on oil and enable a shift to alternate energy supplies will simply be harder to accomplish and may well take much longer than had originally been hoped.

Instead, attention is being turned to the much more diffused basic question: what should now be the pace and nature of the Nation's economic adjustment to higher energy prices and who should lead in this adjustment process?

* * * * *

This report has been prepared at the request of the Honorable John D. Dingell, Chairman of the Subcommittee on Energy and Power, Committee on Interstate and Foreign Commerce, U.S. House of Representatives. The following sections provide a summary of the general setting in which the 95th Congress pursued its own energy-intensive legislative efforts. It describes the Administration's energy policy proposals and the congressional response as finally enacted, and closes with a brief assessment of the policy implications of these enactments and the general situation as Congress adjourned.

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THE 95TH CONGRESS AND ENERGY POLICY

THE GENERAL SETTING

The 95th Congress opened in the midst of several trends which were cause for growing national concern:

- The economy had become and remained overwhelmingly—three fourths—dependent on oil and natural gas for energy. Meanwhile, U.S. production of oil and natural gas had peaked and was expected to decline to near exhaustion by the end of the century.
- Dependence on imported oil had increased sharply since 1973. Petroleum imports averaged 7.3 million barrels/day in 1976 and at year's end were running close to 8 million barrels/day, nearing half of national oil demand; 80% of imports came from OPEC countries.
- World energy demand was rising as more countries industrialized.
- The oil importing countries—rich and poor—were in their fourth year of large scale diversion of capital resources essential for long term economic recovery and development, some of them borrowing to meet annual recurring oil import needs. The U.S. oil import bill rose from \$7.5 billion in 1973 to \$32 billion in 1976, a major factor in the 1976 merchandise trade deficit of \$9.6 billion.
- After a two year decline from the record 1973 level of 74.5 quadrillion Btus (equal to about 36 million b/d of oil), U.S. energy consumption rose 4.8% in 1976, to 74 quadrillions, almost as high as before the embargo.
- Conservation efforts, largely voluntary, had made no significant reductions in overall demand. Household and commercial sectors used 7.3% more energy in 1976 than in 1975, although the industrial sector use decreased only 3.3%.
- Some conversion from oil or gas to coal was taking place, in newly constructed or planned electric power and industrial facilities, but not in existing plants where costs of retrofit to coal were extremely high.

These trends were the collective product of private sector decisions still operating within an economic environment of pricing, taxation and other public policies previously legislated and deliberately structured to encourage the wide supply and use of energy at low prices consistent with reliability of supply. Although new goals had been declared and oil supply was no longer assured, this economic environment remained essentially unchanged.

THE ADMINISTRATION'S PROPOSALS

In April 1977, President Carter formally presented the outlines of a comprehensive new energy plan and a collective legislative and administrative program to implement it.

In addition to the programs proposed in the Administration's omnibus National Energy Act—tax and other incentives and disincentives for energy conservation, conversion to coal, utility rate reform, a crude oil equalization tax, and extension of Federal control over intrastate natural gas prices—the Administration also proposed dramatic changes in energy organization and nuclear policy in separate legislation on which the 95th Congress also acted.

The proposals were intended to achieve by 1985 a series of specific quantitative production and conservation goals. Urgency of national action was predicated on a judgment that the world's demand for oil and natural gas, if not significantly moderated, would exceed world productive capacity as early as 1985, threatening "catastrophe." The President called for a national response that would be "the moral equivalent of war."

ASSESSING THE PROBLEM

Prior to President Carter's April 1977 proposal, Congress had already given considerable attention to the problem of near-term exhaustion of domestic reserves of oil and natural gas, as reflected in its debates on omnibus energy bills in 1975 and 1976. As noted in Table 1, at least five major reports had projected exhaustion of domestic oil and natural gas liquids as early as 1992, assuming no imports, and between the year 2000 and 2030, assuming imports at 35% of demand, even if energy consumption could be constrained to an annual growth rate of only 2.5%. Such estimates are consistent with the general parameters of domestic U.S. oil and gas reserves included in more pessimistic projections which colored energy policy debate in early 1977: these were the Central Intelligence Agency's studies on the international energy situation through 1985, a two-year study sponsored by the Massachusetts Institute of Technology (known as WAES, the Workshop on Alternative Energy Strategies), and the report of a 1976 United Nations conference of geologists and other specialists, which were widely publicized after President Carter's April 18th 1977 energy address.

TABLE 1.—YEAR OF EXHAUSTION OF U.S. OIL AND NATURAL GAS LIQUIDS RESERVES¹

Estimated by—	With 2.5-percent growth in energy consumption and—	
	No imports	35-percent imports
National Petroleum Council (1972).....	2000	2009
Mobil Oil (1974).....	1994	2001
National Academy of Sciences (1975).....	1996	2004
M. K. Hubbert (1974).....	1992	1999
U.S. Geological Survey (1974).....	2003-2117	2013-29
U.S. Geological Survey (1975).....	1991-98	2000-2009

¹ Source: "An Analysis of the Department of the Interior's Proposed Acceleration of Development of Oil and Gas on the Outer Continental Shelf," a study prepared by the staff of the national ocean policy study, with the assistance of the Congressional Office of Technology Assessment, for the Senate Committee on Commerce, 94th Cong., 1st sess., committee print, Mar. 5, 1975, p. 11; and "Geological Estimates of Undiscovered Recoverable Oil and Gas Resources in the United States," Geological Survey Circular 725 (1975).

These earlier estimates were directed primarily at assessing the physical and geological probability of U.S. reserves as potential supplies. The CIA and WAES reports, on the other hand, concentrated on the trends in world demand for oil in relationship to the present and anticipated capacity for production of the OPEC countries.

The targeting of 1985 as a point of critical energy emergency was based on the conclusion that, as stated in the CIA report:

Between 1979 and 1985, increasing world demand and stagnating oil production in the major consuming countries will result in increased reliance on OPEC oil. By 1985 we estimated that demand for OPEC oil will reach 47 to 51 million b/d [barrels per day]. Even if all other OPEC states produce at capacity, Saudi Arabia will be required to produce between 19 and 23 million b/d if demand is to be met. This is well above present Saudi capacity of 10 to 11 million b/d, and projected 1985 capacity of at most 18 million b/d. With the present expansion plans of the Saudis, their excess productive capacity will be exhausted by 1983, and with it their ability to act as a price moderator in OPEC.

Similar conclusions were reached by the WAES study, released May 16, 1977:

Unless appropriate remedies are applied soon, the demand for petroleum in the non-communist world will probably overtake supplies around 1985 to 1995. That is the maximum time we have: thirteen years, give or take five. It might be less. Petroleum demand could exceed supply as early as 1983 if the OPEC countries maintain their present production ceilings because oil in the ground is more valuable than extra dollars they cannot use.

President Carter and his energy advisors focused on this approaching point of domestic and international crisis, when world demand for oil would outrun world capacity to produce, a date well ahead of ultimate exhaustion of world reserves of oil and gas but no less threatening in terms of domestic and international economic and social repercussions. This theme of world demand outrunning world supply continued to dominate President Carter's statement in support of his energy proposals until mid-1978.

DEFINING THE PROBLEM

Referring to the CIA assessment in his April 18th speech, in which he defined the nature of the energy problem to the nation, President Carter said:

Tonight I want to have an unpleasant talk with you about a problem that is unprecedented in our history. With the exception of preventing war, this is the greatest challenge that our country will face during our lifetime. . . . the moral equivalent of war, except that we will be uniting our efforts to build and not to destroy.

The oil and natural gas that we rely on for 75 percent of our energy are simply running out. In spite of increased effort, domestic production has been dropping steadily at about 6 percent a year. Imports have doubled in the last 5 years. Our Nation's economic and political independence is becoming increasingly vulnerable. Unless profound changes are made to lower oil consumption, we now believe that early in the 1980's the world will be demanding more oil than it can produce.

Six years ago, we paid \$3.7 billion for imported oil. Last year we spent \$36 billion for imported oil—nearly 10 times as much—and this year we may spend \$45 billion.

Unless we act, we will spend more than \$550 billion for imported oil by 1985—more than \$2,500 for every man, woman, and child in America. Along with that money that we transport overseas, we will continue losing American jobs and become increasingly vulnerable to supply interruptions.

If we wait and do not act, then our factories will not be able to keep our people on the job with reduced supplies of fuel.

Too few of our utility companies will have switched to coal, which is our most abundant energy source. We will not be ready to keep our transportation system running with smaller and more efficient cars and a better network of buses, trains, and public transportation.

We will feel mounting pressure to plunder the environment. We will have to have a crash program to build more nuclear plants, strip mine and burn more coal, and drill more offshore wells than if we begin to conserve right now.

Inflation will soar; production will go down; people will lose their jobs. Intense competition for oil will build up among nations and also among the different regions within our own country. This has already started.

If we fail to act soon, we will face an economic, social, and political crisis that will threaten our free institutions. But we still have another choice. We can begin to prepare right now. We can decide to act while there is still time.

Defense Secretary Harold Brown labeled "the present deficiency of energy resources" as the single surest threat that the future poses to our security and to that of our allies. Brown, in a speech delivered Oct. 26, 1977, explained: "We now spend annually over \$100 billion on our armed forces. If we hand to others the capacity to strangle us and our allies by cutting off our and their oil supplies, then this expenditure does no more for us than create a useless, encrusted Maginot Line."

THE NATIONAL ENERGY PLAN (NEP)

The National Energy Plan (NEP), proposed by the President and released April 27, 1977, was based on 10 principles translated into a three-phase strategy and seven quantitative energy goals. A short summary of the substance of these elements follows.

The Principles

The fundamental principles which the President identified as underlying the policy are:

(1) The energy problem can be effectively addressed only by a Government that accepts responsibility for dealing with it comprehensively and by a public that understands its seriousness and is ready to make necessary sacrifices.

(2) Healthy economic growth must continue.

(3) National policies for the protection of the environment must be maintained.

(4) The United States must reduce its vulnerability to potentially devastating supply interruptions.

(5) The program must be fair. The United States must solve its energy problems in a manner that is equitable to all regions, sectors and income groups.

(6) The cornerstone of National Energy Policy is that the growth of energy demand must be restrained through conservation and improved energy efficiency.

(7) Energy prices should generally reflect the true replacement cost of energy.

(8) Both energy producers and consumers are entitled to reasonable certainty as to Government policy.

(9) Resources in plentiful supply must be used more widely and the Nation must begin the process of moderating its use of those in short supply.

(10) The use of nonconventional sources of energy—such as solar, wind, biomass, geothermal—must be vigorously expanded.

The Quantitative Goals

The President proposed specific energy goals to be achieved between now and 1985, the year he identified as the period when world demand for oil and natural gas, if not significantly moderated, would be likely to exceed world supply. The Congress was requested to support these goals by enacting legislation committing the nation, by 1985, to:

- (1) Reduce the rate of growth of energy demand to below 2 percent per year.
- (2) Reduce gasoline consumption by 10 percent below the 1976 level.
- (3) Reduce oil imports from a potential level of 16 million barrels per day to 6 million barrels per day, about one-eighth of total energy consumption.
- (4) Establish a strategic petroleum reserve of 1 billion barrels.
- (5) Increase coal production by about two-thirds to more than 1 billion tons annually.
- (6) Bring 90 percent of existing homes and all new buildings up to minimum energy efficiency standards.
- (7) Use solar energy in more than 2½ million homes.

This list of goals presented in Presidential addresses, on Apr. 18 and Apr. 20, 1977, in the draft legislation, and in the NEP did not include any reference to quantitative goals for nuclear energy, although that source of energy was discussed in the NEP and the President subsequently submitted legislation embodying his recommendations for national policy on nuclear nonproliferation, as well as on licensing of U.S.-based nuclear plants.

The NEP stated, "Today 63 nuclear power plants provide about 10 percent of the U.S. supply of electricity. By 1985, an additional 75 nuclear plants already planned or in construction could be in operation, and nuclear power could provide as much as 20 percent of electricity supply. Thus, the United States has the option of relying on light-water reactors to provide nuclear power to offset a share of the nation's energy deficit without undue risk of proliferation." The Plan's fuel balance table (Plan, p. 96) projected a possible quadrupling of energy derived from nuclear power in 1985, from one million barrels of oil equivalent per day (mb/doe) to 3.8 mb/doe.

The Strategy

The general strategy of the NEP was to rely on higher prices, under continued Federal controls, and a wide variety of tax and other incentives and disincentives to encourage voluntary conservation of energy and conversion to fuels other than oil and natural gas, reserving the possibility of resorting to rationing and other mandatory measures if voluntary action does not suffice. Primary emphasis was placed on conservation, rather than on measures to stimulate supply.

A series of income tax and other rebates were proposed, intended both to encourage conservation and to offset the economic impact of higher prices, particularly on lower income groups.

Equalization and other taxes combined with price regulations would be promulgated to produce an upward adjustment of oil and natural gas prices to levels that would approach the replacement costs of energy. Natural gas price controls would be applied to intrastate as well as interstate first sales. The effect the measures would have on inflation and other economic activity would be closely monitored; oil

price and allocation controls would be available on a standby basis to insure continuing predictability and relative stability of those prices.

To consolidate and streamline Federal authorities, many of the existing fragmented collection of energy agencies were to be reorganized under a new Department of Energy and given a Secretary with Cabinet status.

To halt the spread of nuclear weapons capability, the President proposed to suspend reprocessing of spent nuclear fuel and to stop work on the plutonium producing breeder reactor, seeking similar self-denying assurances from other nuclear powers.

In the short run the strategy concentrated on energy conservation, augmented in the mid-term by increasing conversion to fuels other than oil and natural gas, particularly coal and nuclear energy. To meet longer run objectives, there would be a concurrent acceleration in research and development and commercialization of unconventional fuels, including coal gasification, but with increasing attention to renewable fuels to more completely replace depletable fuels early in the next century.

The Administration calculated that the proposed new energy policy and plan, if fully supported, could save about 4.6 million barrels of oil per day over the amount of oil which would otherwise be required in 1985. If fully reflected in reduced imports, this could bring the level of oil imports down to about 7 million barrels a day by 1985. Additional voluntary efforts were counted on to reduce imports to 6 million b/d. Current oil import level is about 8 million barrels per day.

It may be noted that most analyses of the NEP concluded that even if all provisions were enacted the proposals would save considerably less oil and gas than the 4.6 million barrels per day, and, thus, would not reduce oil imports by as much as claimed, a point which became somewhat academic as the House and then the Senate revised the proposed legislation and enacted it in substantially different form.

DISTINCTIVE FEATURES OF THE NEP

This was not the first time that the Congress had been confronted with or had considered quite comprehensive, omnibus energy legislation.

The 94th Congress debated and passed two major omnibus bills—the Energy Policy and Conservation Act (P.L. 94-163) and the Energy Conservation and Production Act (P.L. 94-385).

Together with a number of related energy enactments, these laws had already provided a substantial Federal policy and energy program foundation, which the Administration's proposals would, for the most part, simply extend and augment:

- Authority for a system of strategic oil reserves and standby energy emergency action was already in place.
- A new oil pricing policy had been enacted.
- Federal authority to force industrial and utility conversion from oil and natural gas to coal, or other fuels existed and had been extended.
- Multiple energy conservation programs had been enacted, funded and extended.

—Increased funding for solar and other renewable fuels, continued work on nuclear power research (including breeder reactors) and a substantial electric vehicle program had been authorized and funded.

—House and Senate agreement had been reached on substantial conservation and production tax credits and other incentives, although final action did not take place before the 94th Congress adjourned.

[Additional details on these enactments are provided in the following section of this chapter.]

The distinctive features of the proposed new Plan lay, rather, in the rationale and guiding principles that provided a different context within which policies and programs already underway could be understood, amended, and extended, and in which future policies and plans could be developed and accommodated.

The following features of the proposed new rationale appeared to be the most at variance from the past:

A Leading Federal Energy Policymaking Role

A fundamental break with previous policy lies in the claim that the Federal Government must take the leading role in exercising responsibility for comprehensive policymaking intended to reshape the price, volume and proportionate mix of consumption and production of major fuels. This is a role which, except in times of war, has been deliberately delegated to the private sector as a matter of long-standing bipartisan national policy consensus. In energy, the Federal role was to remain subordinate to private action, intervening only when the private sector could not or would not take responsibility for additional action deemed essential in the public interest.

Notwithstanding this proposed drastic shift in the Federal policymaking role, as noted earlier, the strategy of the new plan was to continue to rely on the voluntary investments and response of the private sector for achievement of its substantial conservation and coal and nuclear energy production goals.

Conservation as the "Cornerstone"

A second fundamental break with previous policy lay in the sixth principle of the Plan which set forth the rationale for a dominant role for conservation as the prime focus for national energy policy:

The sixth principle, and the cornerstone of National Energy Policy, is that the growth of energy demand must be restrained through conservation and improved energy efficiency. Conservation and improvement in energy efficiency is the most practical course of action for the United States and for the nations of the world. Conservation is cheaper than production of new energy supplies, and is the most effective means for protection of the environment.¹

For more than half a century, Federal energy policy had supported a wide range of tax and other incentives to encourage the maximum volume of energy—and at the lowest possible prices—consistent with stability of price and reliability of supply. The two previous Administrations, although equally vocal in declaring support for conservation and the importance of reducing oil imports, placed primary emphasis on incentives for increased domestic supplies of oil and gas and for all other alternative fuels to replace dependence on oil and natural gas as the major fuels. The Energy Independence Authority,

¹ The National Energy Plan, p. 28.

proposed by the Administration in October 1975 to dispense \$100 billion in loans and other incentives for nuclear, synthetic, and other fuels from domestic supplies exemplified the supply oriented character of all earlier National Energy Plans, beginning with "Project Independence" in February, 1974.

Oil-Import Replacement Cost as a New Energy Pricing Concept

The assertion that "the pricing of oil and natural gas should reflect the economic fact that the true value of a depleting resource is the cost of replacing it" represents a major break with previous pricing policies affecting those two fuels. Prior to enactment of EPCA, at the end of 1975, national energy policies were oriented towards producing the lowest prices consistent with production and delivery costs and reliability of supply. Beginning with EPCA, however, Congress had enacted new oil pricing authority that would permit domestic crude oil price levels to be adjusted upward toward the equivalent of the price of imported oil by or before 1981. Congress had, therefore, already begun to accommodate, in its legislation, to the proposed new pricing concept.

Declaring a U.S. Policy to Halt the Breeding and Use of Plutonium

The President's policy initiatives represented an abrupt and major shift in U.S. nuclear policy which had generally assumed plutonium breeder plants and the use of recycled plutonium as the logical next stage in nuclear power technology.

Defining the U.S. Energy Problem in a World Context

The U.S. energy problem and the proposed policy response was presented within the context of the whole world's energy requirements and anticipated production capacity and supply, particularly of oil. U.S. domestic energy actions are viewed as an important component of national security and other foreign policy objectives. Earlier definitions of the problem focused primarily on U.S. needs and sources of supply.

PRELIMINARY PROPOSALS FOR NEP —PHASE II

As the National Energy Plan, Phase I moved into its first conferences at the end of 1977, members criticized the plan's reliance on conservation and reductions in energy consumption rather than on incentives to increase energy supplies. The pressure for new measures to increase supply came to a head in January 1978 when Secretary of Energy Schlesinger was questioned by members of the House Science and Technology Committee about his Department's plan for assuring the nation's future energy supply. Dr. Schlesinger replied that his department would submit a proposal to the committee within 90 days (May 1). This anticipated listing of energy supply options became known as Part I of Phase II of the National Energy Policy Plan.

The new supply strategy plan was completed and sent to the Office of Management and Budget (OMB) for approval during late April 1978. The proposal was initially rejected by OMB. Schlesinger then personally appealed to President Carter, who concurred with OMB and, on May 2, 1978, let stand OMB's disapproval of additional funds for new supply initiatives. This decision was interpreted by some as a sharp defeat for Schlesinger, who was hoping that this budget increase would accelerate commercial development of alternative energy sources. The President did authorize DOE to reallocate its current

funds to their new supply objectives. DOE officials have claimed that this shows the President's support for their proposal and shows that Schlesinger did not "lose" to OMB despite reports.

Goal of the Schlesinger Proposal: The First NEP Phase II Report

The goal of Schlesinger's first draft supply strategy, as reported in the press, was to eliminate domestic dependence on oil imports. National Energy Plan Phase I had called for a reduction in oil imports to seven million barrels per day by 1985. The new supply strategy would have reduced oil imports to about zero. DOE saw the scarcity of liquids and gaseous fuels as becoming crucial after 1985 and proposed programs to develop domestic oil and gas supplies. The work on this initiative was divided into about a dozen task forces whose combined recommendations became Secretary Schlesinger's proposals.

The draft for Phase II called for a \$2.2 billion effort of which \$368 million was to finance the first step. Although the Schlesinger proposal was not made available to the public or to Congress, it was circulated in draft form and was reported in the press. Based on various accounts, the following is a short composite of what the supply initiative draft included.

Contents of the Supply Initiative

Development of renewable sources to include:

Photovoltaics.—An increase of \$30 million to bring funding to \$106 million for a stepped-up R&D program to drive down the price of expensive solar cells.

Wind.—A \$20 million increase to develop large electricity machines for utility use.

Biomass.—An increase of \$10 million to develop liquids fuels such as alcohol from renewable resources.

Low Head Hydro.—An additional \$30 million for demonstration and feasibility studies to bring the total for small hydro units up to \$38 million. Loan guarantees for facilities were also proposed.

Passive Solar Technology.—An additional \$7 million for passive solar design contests directed at architects and developers. (Passive solar technology makes use of sunshine through installation of south facing windows and buildings made of stone materials that retain heat.)

Small-Scale Grants for Appropriate Technology.—An additional \$7 million to increase the total for grants for small-scale renewable energy methods to \$20 million.

Development of synthetic fuels to include:

Coal Gasification.—A proposal of \$30 million in loan guarantees with an additional \$496 million in guarantees proposed for the next three years to build 1-3 commercial scale, high-Btu coal gasification facilities by 1985.

Oil Shale.—To bring oil shale plans on line. Some options under consideration were: a \$3 per barrel tax credit similar to that proposed by Senator Talmadge during consideration of the first national energy plan, loan guarantees, and large purchases by the Department of Defense.

Coal Liquefaction.—A proposed budget increase of \$132 million to demonstrate synthetic fuel from coal on a commercial scale.

Enhanced Oil.—Increases for R&D in recovering expensive sources of oil and gas. Include \$18 million for geopressurized and hydropressurized gas; \$5 million for tight gas sands; \$2 million for Devonian shale; and \$2 million for methane from coal.

Tax Incentives.—Temporary tax subsidies to advance coal technologies pending proposed amendments to general tax legislation. Projects eligible for such subsidies would be low and medium Btu coal gasification and atmospheric fluidized bed combustion.

It may be noted that the proposed new supply strategy did not contain any references to additional nuclear initiatives. On the contrary, as noted in the following table, funding for renewable and synthetic fuels were to be derived by reprogramming monies now devoted to certain nuclear programs.

Funding Levels

Phase II, Part I was sent to Congress on May 15, 1978. It consisted of a strategy plan to increase U.S. energy supplies to be financed by shifting \$165 million in the FY 79 budget from existing programs to new or expanded programs in solar energy and synthetic fuels. DOE decided to transfer \$130 million in its 1979 budget from nuclear programs, waste management, and the now defunct Coalcon demonstration plant, and to allocate it among renewable energy sources and synthetic gas and liquids from coal (see Tables I and II). Together with \$35 million reprogrammed from FY 78 funds, the supply initiative would be funded at a total of \$165 million.

TABLE I.—*Reduction in current programs to fund new initiative in fiscal year 1979 (as programmed May 1978)*

	[Dollars in millions]	Reduction in budget authority
Light water reactor		-\$10
Waste Management facilities		-51
Advanced technology and assessments projects		-5
National uranium resources evaluation		-10
Vanpooling		-9
Clean boiler fuel demonstration (Coalcon)		-45
Total		-130

TABLE II.—*Funding of new initiative, fiscal year 1979*

	[Dollars in millions]	Increases in budget authority
Fiscal year 1979 DOE budget amendment:		
Oil shale tax credit		(1)
Regulations to provide oil shale and other synthetic liquids entitlements treatment		(1)
Unconventional natural gas		\$10
High Btu coal gas loan guarantees		20
Photovoltaics research		30
Wind machine demonstration		20
Gas and liquid fuels from biomass		10
Low head hydro power programs		20
Appropriate technology grants		5
Dispersed energy systems demonstrations		5
Passive solar heating and cooling		5
Leveraging Federal purchases of solar		(1)
Solar training and education		5
Total		130

¹ Unchanged.

Note.—An additional \$35 million for design studies of synthetic liquid and solid demonstration plants will be made available to support the synthetic liquid and solid initiatives from funds from fiscal year 1978.

At the end of the 95th Congress, these and fiscal year 1980 levels of authorization and outlay were still in flux, as the budgetary constraints imposed by the President's anti-inflation goals were being applied to all Federal budget proposals.

Revised NEP-II proposals are expected early in 1979.

THE CONGRESSIONAL RESPONSE: MAJOR ENACTMENTS

Congressional attention to energy legislation and policy issues during 1977 and 1978 was primarily devoted to the programs and policies proposed in the Administration's National Energy Act. These culminated in the enactment of five major laws, finally passed during the last hours of the second session:

The Natural Gas Policy Act (95-621).

The Powerplant and Industrial Fuel Use Act (95-620).

The National Energy Conservation Policy Act (95-619).

The Energy Tax Act (95-618).

The Public Utility Regulatory Policies Act (95-618).

The 95th Congress also considered and enacted some three dozen other energy related laws. Among these additional major enactments were:

The Nuclear Nonproliferation Act (95-242).

The Department of Energy Organization Act (95-91).

A wide variety of laws supporting solar programs.

Numerous appropriations laws committing the Federal Government to Federal energy expenditure levels which were running close to \$10 billion in budgeted outlays by the end of 1979.

With the exception of the natural gas policy and the nuclear nonproliferation laws, most of the programs finally approved represent extensions, expansions or modifications of programs and policies already enacted by the 93d and 94th Congress. Earlier laws are cited as appropriate in the following sections, which briefly describe the substance of the major enactments passed by the 95th Congress. For the five laws which comprise the NEA legislation, the language of the official summary by the Department of Energy has been used. Appendix I includes the legislative histories of some forty energy-related laws passed by the 95th Congress.

NATURAL GAS POLICY

Natural gas policy actions in the 95th Congress represent the first significant legislative change in Federal policy in forty years.

Hotly debated in virtually every Congress since 1954, when the Supreme Court ruled that the 1938 Natural Gas Act required the FPC to set the ceiling rates at which natural gas can be sold in interstate commerce, any bills passed by the House and Senate were always so far apart none had reached conference.

No less hotly debated were the provisions which were finally enacted by the 95th Congress as P.L. 95-621.

The Natural Gas Policy Act of 1978 (NGPA) provides for—

Price Controls

The NGPA sets a series of maximum lawful prices for various categories of natural gas, including gas sold in both the interstate and intrastate markets. This eliminates the regulatory distinction which

had previously existed between the two markets, with interstate rates set on the Federal level and intrastate rates largely unregulated.

Deregulation of Certain Gas

Price controls on new gas and certain intrastate gas will be lifted as of January 1, 1985. Certain high-cost gas will be deregulated approximately one year after the NGPA's enactment. Gas from certain new onshore wells will also be deregulated but not until July 1987. Other gas will remain under price controls indefinitely. Price controls may be reimposed by Congress or the President for one eighteen-month period.

Incremental Pricing

Protection of residential consumers by first passing through some portion of increased gas prices to industrial users. This incremental pricing to industrial users cannot result in industrial gas prices higher than the regional cost of substitute fuels as determined by the FERC.

The average cost of natural gas to industry, even under incremental pricing, is expected to remain well below the cost of alternate fuels. Initially this rule applies only to boiler fuel users of natural gas.

Emergency Authority

The President may declare an emergency if a gas shortage exists or is imminent which endangers supplies for "high-priority" users. High-priority use means the use of gas in a residence or small commercial establishment, or any use, the curtailment of which would endanger life, health, or maintenance of physical property. During an emergency, the President may authorize certain emergency sales of gas. If these emergency sales are not sufficient to protect high-priority users, he may allocate certain supplies of gas, as necessary.

These provisions largely reenacted the temporary emergency authorities provided in P.L. 95-2, the Emergency Natural Gas Act.

Curtailment Priorities

Interstate gas supplies needed for certain agricultural and industrial uses generally will not be curtailed unless the gas is needed to serve high-priority users ("high-priority" defined above).

The Energy Tax Act of 1978 included two provisions intended to encourage production of additional fuel supplies, particularly natural gas:

Geothermal Energy & Geopressed Natural Gas Tax Provisions

Incentives for the development of geothermal resources through an investment tax credit, the expensing of intangible drilling costs and a percentage depletion allowance. Geopressed natural gas is granted a special 10 percent depletion allowance.

Minimum Tax Exclusion for Intangible Drilling Costs

Extension of favorable minimum tax treatment of intangible drilling costs for oil and gas into future years.

OIL POLICY

Reducing U.S. dependence on imported oil is the fundamental objective of current national energy policy. At the year's end, 1978 oil imports were running at a rate in excesss of 8 million barrels of oil a day, and U.S. 1978 payments for this oil were expected to exceed \$45

billion. The Administration's declared goal—to which the U.S. recommitted itself before its International Energy Agency partners in October 1977—is to reduce U.S. oil imports to less than 6 million barrels a day by 1985.

Although oil import policy presumably would have been expected to command most of the attention and time of the 95th Congress, in fact, the oil policy legislation that was ultimately enacted seemed almost peripheral to this issue. In contrast to the 94th Congress, which saw House passage of a bill authorizing imposition of quantitative limits on imports,¹ debate over and consideration of import quotas was almost non-existent in the 95th Congress.

The Outer Continental Shelf Lands Act (P.L. 95-372) which was enacted, important as it is, reflects not so much a decision on oil policy *per se* as a major decision on the relative role of, and the interface between, the Federal Government, private exploration, and affected State and local governments.

Two other oil policy related laws were enacted: an amendment to the Export Administration Act (P.L. 95-52), placing constraints on exports of Alaskan oil; and authorization for \$300 million in loan guarantees for demonstration facilities for the conversion of oil shale, coal, biomass and other domestic resources into alternative fuels (P.L. 95-238).

Ironically, perhaps the most important oil import-related policy action by the 95th Congress was its rejection of the Administration's proposed crude oil equalization tax, a tax on producers designed to curtail excessive profits to producers, and at the same time bring oil prices at the refiners' level rapidly up to approximately the level of imported oil. The proceeds were to be rebated to low income consumers to dampen the impact on household budgets.

The 95th Congress chose instead to "ride" with and rely upon the oil pricing policy previously enacted in P.L. 94-163, the Energy Policy and Conservation Act, enacted into public law on December 22, 1975. EPCA permitted graduated decontrol of the price of "old" crude oil to occur, at the discretion of the Administration, rising to approximately world oil import price levels as early as mid-1979. The intent of that legislation was to combine the conservation effect of higher prices with a production incentive effect of those same high prices to accelerate production of increased domestic energy supplies.

By the time the Administration's proposals had been considered, amended, and eventually passed, Congress had dropped all reference to quantitative goals, including the goal of reducing imports to 6 million barrels of oil a day, and all reference to a 1985 target date.

COAL USE POLICY

Since 1974, the Federal Government has administered a coal conversion program under the Energy Supply and Environmental Coordination Act of 1974 (ESECA) (P.L. 93-319 and P.L. 94-163, Title I.) The coal conversion portion of the NEA modifies and expands that program in several important ways. The effect of these changes was intended to streamline the regulatory process and to improve

¹ H.R. 7014 passed the House June 19, 1975 by a vote of 291-130, but the provisions imposing quantitative limits on imports were subsequently dropped by the House.

dramatically the program's effectiveness in reducing consumption of oil and gas in industrial and utility boilers as a result of the increased use of alternate fuels such as coal.

Under the current program, the Federal Government must individually identify new units planning to burn oil or gas and then order them to burn coal or other fuels. Under the new law, the burden of making such determinations is shifted. New facilities (above 10 MW) may not now legally burn oil or gas until the owners have demonstrated to DOE that an exemption is justified. Thus, the operators of the facility, who are most knowledgeable about the particulars of their case, instead of the government, will be responsible for making the necessary showings.

The Power Plant and Industrial Fuel Use Act of 1978 provides for—

Prohibition of New Oil and Gas Fired Boilers

Prohibition against use of oil or natural gas in new electric utility generation facilities or in new industrial boilers with a fuel heat input rate of 100 million Btu's per hour or greater, unless exemptions are granted by DOE.

Restrictions on Existing Coal Capable Large Boilers

DOE authority to require existing coal capable facilities, individually or by categories, to use coal and to require non-coal capable units to use coal-oil mixtures.

Restrictions on Users of Natural Gas for Boiler Fuel

Limitation of natural gas use by existing utility power plants to the proportion of total fuel used during 1974-1976, and a requirement that there be no switches from oil to gas. There is also a requirement that natural gas use in such facilities cease by 1990 (with certain exceptions).

Pollution Control Loan Program

An \$800 million loan program to assist utilities to raise necessary funds for pollution control.

Supplemental Authority

Supplemental authority to prohibit use of natural gas in small boilers for space heating and in decorative outdoor lighting and to allocate coal in emergencies.

Other Provisions

Funding of several programs to reduce negative impacts from increased coal production; energy impact assistance and railroad rehabilitation.

The Energy Tax Act of 1978 included a number of provisions designed to encourage conversion to the use of fuels alternative to oil and natural gas, particularly coal:

Business Energy Tax Credits

Business tax credits for industrial investment in alternative energy property (such as boilers for coal, non-boiler burners for alternate fuels, heat conservation equipment and recycling equipment).

Denial of Tax Benefits for New Oil & Gas Fired Boilers

Denial of investment tax credit and accelerated depreciation for new gas and oil boilers.

The Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87) may have an impact on coal prices as the costs of complying with its provisions begin to be added to coal producers' outlays. The provisions require that surface mining operations must: (1) restore the land to a condition capable of (at least) supporting prior uses; (2) restore the approximate original contour of the area being mined; (3) replace topsoil after mining; (4) on prime agricultural land, replace the separate soil horizons to insure agricultural productivity at least as high as it was prior to mining; (5) minimize disturbances to the quality and quantity of water in surface and groundwater systems at all times—with adverse effects on alluvial valley floors prohibited; and (6) on steep slope mining, prohibit dumping spoil materials (soil and rock materials removed to expose the coal) on downslopes.

Other key provisions established a reclamation fund (by imposing a tax on coal) to restore abandoned lands.

ENERGY CONSERVATION

The 93rd and 94th Congresses had launched major incentive and other programs aggressively promoting energy conservation in a wide number of fields. Among programs authorized and funded were the following:

A \$2 billion loan guarantee program to encourage industry and business to practice energy conservation;

A \$200 million grant program for a three-year weatherization assistance program administered by FEA;

\$82.5 million for a weatherization program administered by Community Services Administration;

A two-year, \$200 million loan-grant demonstration program to finance conservation and use of renewable resources in existing homes;

\$150 million to aid States in developing conservation plans;

Mandatory building standards are to be drawn up;

Mandatory labeling for energy-using appliances;

Additional funding to promote mass transportation, recycling and resource recovery; and

Mandatory fuel economy standards for passenger automobiles.

These were provided for in P.L. 94-163 (Title III), P.L. 94-385 (Titles III and IV), P.L. 94-107, P.L. 95-26.

To these existing programs, The National Energy Conservation Policy Act of 1978 (P.L. 95-619) extended or added the following provisions:

Weatherization Grants for Low Income Families

Extension through 1980 of the DOE weatherization grants program for insulating lower income homes at an authorized level of \$200 million in F.Y. 1979 and 1980.

Solar Energy Programs

A \$100 million program administered by HUD which will provide support for loans of up to \$8,000 to homeowners and builders for the purchase and installation of solar heating and cooling equipment on residential units.

\$100 million for a Solar Demonstration program in Federal buildings, \$98 million for solar photovoltaic systems in Federal facilities.

Energy Conservation Loan Programs

A \$5 billion program of federally-supported home improvement loans for energy conservation measures; \$3 billion for support of reduced interest loans up to \$2,500 for elderly or moderate income families and \$2 billion for general standby financing assistance.

Grant Program for Schools and Hospitals

Grants of \$900 million over the next 3 years to improve the energy efficiency of schools and hospitals.

A 2-year, \$65 million program for energy audits in local public buildings and public care institutions.

Utility Conservation Program for Residences

A program requiring utilities to offer energy audits to their residential customers that would identify appropriate energy conservation and solar energy measures and estimate their likely costs and savings. Utilities also will be required to offer to arrange for the installation and financing of any such measures.

Appliance Efficiency Standards

Energy efficiency standards for major home appliances, such as refrigerators and air conditioning units.

Civil Penalties Relating to Automobile Fuel Efficiency

Authority for the Secretary of Transportation to increase the civil penalties on auto manufacturers from \$5 to \$10 per car for each $\frac{1}{10}$ of a mile a manufacturer's average fleet mileage fails to meet the EPCA automobile fleet average fuel economy standards.

Other Provisions

Other provisions in the Act include the following:

Grants and standards for energy conservation in Federally-assisted housing.

Federally insured loans for conservation improvements in multi-family housing.

Industrial recycling targets and reporting requirements.

Energy efficiency labelling of industrial equipment.

A study of the energy efficiency of off-road and recreational vehicles.

An assessment of the conservation potential of bicycles.

Energy conservation incentives included in the Energy Tax Act of 1978 provide for:

Residential Insulation and Conservation Tax Credits

A non-refundable income tax credit for residential insulation and energy conservation measures—up to \$300 or 15 percent of the first \$2,000 expended.

Residential Solar Tax Credits

A non-refundable income tax credit for the residential installation of solar or wind equipment—up to a total maximum credit of \$2,200 covering \$10,000 of expenditures.

Exemption of Gasohol from Excise Tax

Exemption of gasoline containing at least 10 percent alcohol produced from agricultural products or waste from the 4 cents per gallon Federal Excise Tax.

Gas Guzzler Tax

Graduated excise tax on gas guzzling cars that fall substantially below Federally mandated fleetwide mileage standards for each year.

Congress rejected a tax on the business use of oil and gas as well as the crude oil equalization tax, promoted by the Administration as the "centerpiece" of its National Energy Act, refusing to add further constraints on an economy already struggling with the combined effects of recession, unemployment and inflation.

PUBLIC UTILITY REGULATORY POLICY

The 94th Congress had already provided for a number of Federal initiatives in the field of public utility regulatory policy. Title II of the Energy Conservation and Production Act (P.L. 94-385), "Electric Utility Rate Design Initiatives," required (or permitted) the Federal Energy Administration:

To develop proposals for improvement of electric utility rate design and transmit such proposals to Congress; to fund electric utility rate demonstration projects; to intervene or participate, upon request, in the proceedings of utility regulatory commissions; and to provide financial assistance to State offices of consumer services to facilitate presentation of consumer interests before such commissions.

The Public Utility Regulatory Policies Act of 1978 (P.L. 95-617) provides for—

Rate Design Standards

Eleven voluntary standards on rate design and other utility practices for consideration by State regulatory authorities and non-regulated utilities—including time-of-day-rates, seasonal rates, cost of service pricing, interruptible rates, prohibition of declining block rates and lifeline rates.

Consideration of Rate Design Standards

A requirement that state regulatory authorities and utilities consider each standard within prescribed periods and determine if they are appropriate for conservation, efficiency and equity, as well as consistent with state laws. Voluntary guidelines with respect to the standards may be prescribed.

Retail Policies For Natural Gas Activities

Consideration by gas utilities of two standards—i.e., service termination procedures and advertising expenditures. A DOE study of the best rate design for gas utilities is also required.

Cogeneration

FERC rules favoring industrial cogeneration facilities, and requiring utilities to buy or sell power from qualified cogenerators at just and reasonable rates.

Wholesale Provisions

FERC authority to require interconnections of electric power transmission facilities, to order utilities to provide transmission services between two noncontiguous utilities, and to report anticipated power shortages; FERC review of automatic rate adjustment-clauses.

Aid to States and Consumer Representation

Funding to assist state implementation and consumer intervention in proceedings.

Small Hydroelectric Facilities

Loan program to aid development of small hydroelectric projects. Funded under a 3-year authorization of \$10 million a year for feasibility studies and a 2 year authorization of \$100 million each year for direct project loans.

Expediting Legislation for Crude Oil Transportation Systems

Establishes a process for selecting and expediting issuance of permits for a crude oil transportation system to move oil from the West Coast to northern tier inland states, as well as expediting the issuance of permits for the SOHIO pipeline in the south, running from Long Beach, California to Midland, Texas.

Significant Miscellaneous Provisions

Authorization funding for the National Regulatory Research Institute; Establishment of 3 additional University Coal Research Laboratories; rules for conversion of natural gas users to less desirable heavy fuel oils; Emergency Conversion of utilities and other facilities during natural gas emergencies; natural gas transportation policy, and rules for treatment of conserved natural gas.

NUCLEAR POLICY

The 95th Congress opened with major nuclear policy issues unresolved: how to reduce the risk that U.S. and other nuclear exports could expand nuclear weapons capability abroad, how to dispose of nuclear radioactive waste, how to shorten reactor construction time, whether to complete a demonstration plutonium breeder, and what change, if any, should be made in breeder development. Early in the first session, President Carter, in a major shift in U.S. nuclear energy policy, ended government support for the recycle of plutonium and called on other nations to join the United States in deferring the use of plutonium for nuclear fuel. The President said that the United States would among other actions, defer indefinitely the commercial reprocessing and recycling of plutonium produced in U.S. nuclear power programs; restructure the U.S. breeder program to give greater priority to designs using fuels other than plutonium and to defer the date when breeder reactors would be put into commercial use; and to cancel the Clinch River Breeder Demonstration project in Tennessee.

Congress strongly supported the non-proliferation initiatives, passing a major new law supplemented by several reinforcing provisions in foreign aid and other financial assistance laws, but left the future of the breeder reactor uncertain. The major question of how to deal with radioactive waste awaited comprehensive policy proposals expected from the Administration early in 1979. Licensing legislation was introduced but was not acted on before the 95th Congress adjourned.

The Nuclear Non-Proliferation Act

The President's decision to abandon domestic reprocessing and to discourage the development of a reprocessing capability by other

nations was an extension of, and quite apart from broader non-proliferation objectives which had been considered, but not decided upon by the 94th Congress. The Nuclear Non-Proliferation Act of 1978 (P.L. 95-242), enacted by the 95th Congress in March 1978, assessed the risks of

* * * proliferation of nuclear explosive devices or of the direct capability to manufacture or otherwise acquire such devices [as] a grave threat to the security interests of the United States and to continued international progress toward world peace and development. Recent events emphasize the urgency of this threat and the imperative need to increase the effectiveness of international safeguards and controls on peaceful nuclear activities to prevent proliferation.

Congress developed a fourfold policy: (1) to confirm the reliability of the United States as a supplier of nuclear reactors and fuels to nations that agree with its nonproliferation policies; (2) to provide more effective international control over nuclear commerce bolstered by international sanctions; (3) to encourage ratification of the Non-Proliferation Treaty; and (4) to cooperate with other nations in finding suitable technologies for energy production, particularly alternatives to nuclear power.

The act specifies criteria and procedures to be used by the United States in deciding whether or not to permit specified utilizations of nuclear exports, especially the reprocessing of spent fuels of U.S. origins. It reorganizes functions for licensing of nuclear exports, and provides the executive branch with a *de facto* veto over such licenses while also specifying additional criteria for the Nuclear Regulatory Commission to use in reaching decisions. Should the NRC turn down a license request or delay action unduly, the license can be referred to the President who has authority to approve it, subject to a congressional veto.

Applications made 18 months after enactment, and shipments made 2 years after enactment under previously approved licenses will be disapproved or disallowed unless the NRC has been notified by the Secretary of State that it is the judgment of the executive branch that the proposed export will not be inimical to the common defense and security. In submitting its judgment, the Secretary may also consider whether issuing a license will advance U.S. nonproliferation policy, and whether failure to issue the license would be seriously prejudicial to the Nation's nonproliferation objectives. Beginning in September 1979, nonnuclear weapons states which would import U.S. nuclear items must agree to subject all nuclear activities to International Atomic Energy Agency safeguards. The act provides for the cutoff of nuclear exports if importing nations violate nonproliferation policy, however, the cutoff is subject to Presidential waiver which, in turn, can be vetoed by Congress.

The act requires that the President renegotiate existing cooperative agreements and to seek nonproliferation commitments that represent a tightening of the conditions under which future exports will be allowed. During renegotiation, the existing agreements remain in effect and exports are expected to continue.

In addition to renegotiating agreements for cooperation, the act engages the United States in important international negotiations having several purposes. One is to establish a reliable international supply of nuclear fuels—possibly through the creation of an International Nuclear Fuel Authority—so that nations which do not have

enrichment or reprocessing facilities need not fear politically motivated embargoes of nuclear fuel supplies. Another provision of the Act authorizes the United States to take part in an International Nuclear Fuel Cycle Evaluation (INFCE), previously organized by the President in October 1977. The Act also directs the Government to seek to strengthen international safeguards, and to provide training to other countries in safeguards and physical security. The President is also directed to seek international agreement to a set of specific nuclear export policies to be honored by all nations.

An early test of the Nuclear Non-Proliferation Act occurred shortly after its enactment. On April 20, 1978, the U.S. Nuclear Regulatory Commission declined, on a deadlocked vote, to approve an export of enriched uranium to India for its Tarapur nuclear power station and referred the case to the President for decision under the Nuclear Non-Proliferation Act of 1978. On April 27, 1978, the President approved the export by Executive order and submitted it to Congress with his reasons. The 95th Congress approved the first controversial shipment on July 15. This passage represented an early test of the Nuclear Non-Proliferation Act and U.S. nonproliferation policies. Currently, a second export license application is pending for the export of enriched uranium.

Pending IAEA Safeguards Treaty

On February 9, 1978, President Carter sent to the Senate for its advice and consent an agreement between the United States and the International Atomic Energy Agency for the application of its safeguards to selected nuclear facilities in the United States and urged early, favorable action. The agreement represents a major U.S. undertaking which will permit foreign personnel of an international agency to inspect selected government and private nuclear facilities within the United States.

After some debate within the administration, the agreement was submitted as a treaty to underscore its importance and unusual features and to provide for Congressional participation. If the agreement had been treated as an Executive agreement, it would not have been submitted to Congress, which probably would have sparked controversy.

Because the Senate took no final action on the U.S.-IAEA agreement before Congress was adjourned, the agreement remains an issue for consideration by the Senate of the 96th Congress.

SOLAR AND RELATED PROGRAMS

Continuing accelerated initiatives begun in the 93d and 94th Congresses, the 95th Congress acted on a wide range of important solar energy matters, with an increasing number of government agencies other than the Department of Energy involved in expanding solar and solar-related programs. Much of the public attention has been focused on the provisions in the National Energy Act, not enacted until the end of the second session. However, as can be seen from the list below, significant initiatives were meanwhile proposed, and in many cases mandated, in more than a dozen other enactments.

In addition to the substantial Federal and other public buildings programs and the grant, loan and tax provision programs enacted under the Energy Conservation Act (P.L. 95-619) and the Energy Tax Act (P.L. 95-618), already summarized above, the following laws provided additional programs:

Additional Federal Facilities Programs

The fiscal year 1979 Military Construction Authorization Act (P.L. 95-356) directs that all new military housing use solar energy equipment if it is cost-effective, and that at least 25 percent of all other military construction do the same, on structures started after December 8, 1978. It is estimated that the bill will generate \$50 million in business for the solar industry in 1979 and \$100 million annually over the next three to five years.

Solar Hot Water Systems For Two House Office Buildings

The House on May 17, 1977, passed a resolution (H. Res. 322) authorizing \$50,000 for a study of the feasibility of installing solar energy equipment in House office buildings. Equipment for space heating and cooling and hot water heating were considered in the study. The study was published May 1, 1978, as House Doc. 95-332.

A bill (H.R. 13597) authorizing \$3 million to the Architect of the Capitol to install solar hot water heaters in the Rayburn House Office Building and the House Office Building Annex 2 was signed November 2, 1978 (P.L. 95-577).

Programs Involving Foreign Countries

The Nuclear Non-Proliferation Act of 1978 (P.L. 95-242), enacted March 10, 1978, establishes a program under which the United States will cooperate with developing countries to: meet the energy needs required for the development of such countries; expand the energy alternatives available to such countries; and reduce the dependence of such countries on oil, with emphasis given to the use of solar and other renewable energy resources.

The International Development and Food Assistance Act of 1978 (P.L. 95-424) authorizes U.S. assistance for cooperative programs with developing countries in the utilization of renewable energy resources, including solar energy. The Act further provides that in issuing guarantees for housing projects in less-developed countries, preference be given to projects using solar energy where feasible.

The International Development and Food Assistance Act of 1977 (P.L. 95-88), enacted August 3, 1977, includes provisions for the establishment of cooperative programs with developing countries in new energy technologies. The Act authorizes up to \$18 million to be used to carry out cooperative programs with particular emphasis on programs in research, development, and use of small-scale, decentralized, renewable energy resources for rural areas.

Additional Consumer and Other Programs

The Agricultural Act of 1977 (P.L. 95-113), approved September 29, 1977, includes a comprehensive package of congressional initiatives designed to promote solar energy use in American farms. Authorizes the Agricultural Research Service to conduct research into various solar applications for farm needs. Provides low-interest loans for solar

energy systems in the farm and in farm operations. Provides for the establishment of model solar energy demonstration farms within each State and for three to five regional solar agricultural demonstration centers in the United States. Authorizes \$20 million over a four-year period for setting up the model farms and for carrying out solar demonstration projects on farms throughout the country.

The GI Bill Improvement Act of 1977 (P.L. 95-202), enacted November 23, 1977, requires the VA to conduct a study to determine the most effective methods of using VA programs in order to aid and encourage present and prospective veteran homeowners to install solar heating, solar heating and cooling, or combined systems, and to apply residential energy conservation measures. The study (Senate Committee Print No. 19) was issued April 28, 1978.

The Veterans' Housing Benefits Act of 1978 (P.L. 95-476) gives the VA authority to guarantee home improvement loans for active/passive solar space conditioning and hot water systems.

On July 4, 1978, the President signed H.R. 11713 (P.L. 95-315), a bill to establish a new Small Business Administration loan program to provide financial assistance to small firms involved in solar energy and energy conservation fields.

The Youth Employment and Demonstration Projects Act (P.L. 95-93), enacted Aug. 5, 1977, provides funds for the establishment of Youth Employment and Training Programs. Financial assistance is available to State and local governments for the creation of useful work experience opportunities for youth in community betterment activities. Specifically mentioned in the Act were activities such as rehabilitation of public properties, and projects involving the demonstration of energy-conserving measures including solar energy techniques.

The Photovoltaic RD&D Act (P.L. 95-590), provides \$125 million in FY79 for photovoltaic R&D and procurement, and dedicates the Nation to a 10-year, \$1.5 billion RD&D program in solar photovoltaic technologies.

The Sun Day Resolution (P.L. 95-253), approved Mar. 27, 1978, proclaimed May 3, 1978, as "Sun Day"—a day to promote public awareness of solar energy as a national energy resource.

Additional Funds

Following the President's veto of the FY79 Department of Energy R&D Appropriation bill (H.R. 12928), Congress passed a continuing appropriations bill (H.J. Res. 1139/P.L. 95-482) which made appropriations as provided in H.R. 12928 with certain exceptions relating to water projects. P.L. 95-482 appropriates \$483.8 million for solar/bioconversion R&D programs; another bill, P.L. 95-465 (Interior and Related Agencies Appropriations Act), appropriates \$28.381 million for solar commercialization activities for a total FY79 appropriation of \$512 million for solar programs. This compares with an FY78 solar/bioconversion appropriation totalling \$410.6 million (\$368.25 million in regular appropriations and \$42.4 million in supplemental appropriations).

ENERGY ORGANIZATION

The Department of Energy Organization Act (P.L. 95-91), signed into law on August 4, 1977 created a new, consolidated agency to manage energy affairs, the Department of Energy, with a Secretary of Cabinet level rank. It is composed of functions transferred from several agencies and departments.

Three agencies were abolished and their functions transferred entirely to the new Department: the Federal Energy Administration (FEA), the Energy Research and Development Administration (ERDA), and the Federal Power Commission (FPC). The intention of Congress was to eliminate the sometimes inefficient duplication between FEA and ERDA in some areas, but to preserve the independence of the functions of the FPC.

The Act establishes the Federal Energy Regulatory Commission (FERC), a five-member commission which inherited most of the FPC's functions and is intended to operate as an independent entity. It also has jurisdiction over the regulatory functions previously vested in the FEA, and is to review "energy action" proposals from the Secretary on these matters through the official hearings process.

The Act also establishes the Energy Regulatory Administration (ERA), a vestigial remain of the original legislative proposal from the Administration, which was originally intended to receive all of the regulatory functions of both FPC and FEA. As finally approved by Congress, the ERA is to administer "any such functions as the Secretary deems appropriate, provided that this shall not include any functions or authority falling exclusively within the jurisdiction of FERC," as the conference report states. No specific duties are prescribed for the ERA in the Act, but in practice it has assumed most of FEA's enforcement and regulatory responsibilities by delegation from the Secretary.

The Act also established these entities: Secretary, Deputy Secretary, Under Secretary, and eight Assistant Secretaries. None of the Assistant Secretaries is given a functional title, but eleven functional areas are designated for assignment to the Assistant Secretary level. It also established the Energy Information Administration, the Office of Energy Research, and the Office of the Inspector General.

In addition to establishing these entities, the Act gave to the new Department the statutory authorities of the transferred agencies and added some substantive reporting and other requirements. Therefore, although the Department's most conspicuous activities in its first year involved development and promotion of the National Energy Plan, it came into being with a substantial number of authorities already in existence in most areas of energy concerns.

ENERGY AUTHORIZATIONS AND APPROPRIATIONS

The 95th Congress, in a wide range of authorization and appropriation bills, supported an expanding outlay of Federal funds for energy programs and policies launched by two previous Congresses in the wake of the 1973 Arab oil embargo.

Early reports (by the Congressional Budget Office in December 1978) indicated outlays for consolidated energy programs for FY 1978 and 1979 were running somewhat behind those estimated at the time the FY 1979 budget was submitted. However, the trend was clearly upward, with substantial increases in authorizations and expenditures for fossil and solar R&D and commercialization programs, as illustrated by the chart and table following this section.

Over half of the \$2.6 billion divided among energy technologies in the fiscal 1979 public works appropriations conference report (H.R. 12928) would go to a variety of nuclear energy technologies, including the plutonium-producing breeder reactor, space nuclear systems and fusion energy. This bill was vetoed, but its energy spending passed as part of a continuing resolution. (P.L. 95-482).

Solar energy accounts for only 17 percent of the total, but at \$442 million, solar R&D jumped more than 30 percent over last year's spending. The solar budget has climbed almost 30-fold since 1974.

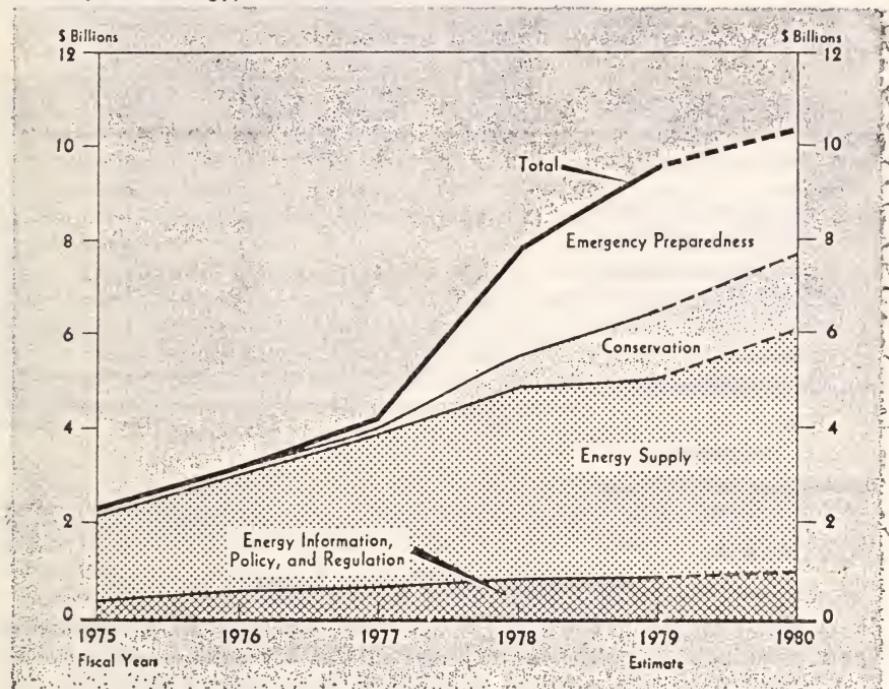
By comparison, energy conservation took a big chunk of the energy budget in the Interior appropriations bill (H.R. 12932/ PL 95-465), partly because it includes funding for such ambitious National Energy Act programs as insulation grants to schools and hospitals. At \$707 million, the conservation budget is an increase of more than \$100 million over fiscal 1978 spending. This included another \$47 million primarily for demonstrating solar energy in Federal buildings and helping cities to turn their garbage into energy.

Fossil energy spending, also contained in H.R. 12932, dipped slightly from the previous year's budget to \$677 million. But the total includes big increases for building two plants to convert coal into low sulfur fuels—one in solid form, the other in liquid form—and to convert coal into electricity efficiently.

Advance reports of the FY 1980 DOE budget submission, the first comprehensive statement of the new Department's own goals and priorities, show a shift in priorities reflected in increased funds requested to accelerate construction of demonstration plants in coal technologies to improve the acceptability of coal as an alternative to oil and natural gas, or nuclear power. Demonstration plants in solvent refined coal-to-liquid processes, low Btu coal gas, low/medium Btu coal gas, low/medium Btu industrial coal gasification and high-Btu coal gasification are included in projects proposed for funding.

Whether they will survive the budget cuts needed to meet the President's objectives for reduced Federal spending was, at the year's end, conjectural.

Outlays for Energy, 1975-1980



Source: The Budget of the U.S. Government for fiscal year 1979, OMB, Executive Office of the President, p. 102.

NATIONAL NEED: ENERGY

[Functional code 270: in millions of dollars]

Major missions and programs	Recom- mended budget authority for 1979	Outlays			
		1977 actual	1978 estimate	1979 estimate	1980 estimate
Energy conservation:					
Technology development.....	385	127	244	324	439
Grants, efficiency standards, and technical assistance.....	625	16	208	578	622
Automobile fuel-efficiency tax refunds (proposed legislation).....	500	-----	150	500	500
Subtotal.....	1,510	143	601	1,402	1,561
Energy supply:					
Research, development, and demonstrations:					
Nuclear fission.....	815	836	935	828	815
Commercial nuclear waste.....	187	67	126	163	184
Fossil.....	727	452	582	689	1,110
Renewable resources.....	874	434	663	792	925
Environmental.....	324	271	329	327	328
Supporting technology.....	232	135	170	218	235
Uranium enrichment.....	1,399	1,070	1,301	1,383	1,752
Uranium enrichment revenues.....	-1,209	-658	-966	-1,209	-1,250
Proposed legislation.....	-163	-----	-----	-163	-169
Petroleum reserves.....	385	107	488	512	284
Petroleum reserve receipts.....	-553	-379	-492	-553	-551
Power marketing.....	154	1,150	1,314	1,430	1,723
Other offsetting receipts.....	-304	-219	-262	-304	-312
Subtotal.....	2,869	3,266	4,190	4,113	5,074
Emergency energy preparedness.....	4,255	123	2,273	3,284	2,853

NATIONAL NEED: ENERGY—Continued

[Functional code 270: in millions of dollars]

Major missions and programs	Recom- mended budget authority for 1979	Outlays			1980 estimate		
		1977 actual	1978 estimate	1979 estimate			
Energy information, policy, and regulation:							
Regulation:							
Federal Energy Regulatory Commission	44	35	35	42	44		
Economic Regulatory Administration	60	50	51	59	60		
Nuclear Regulatory Commission	331	231	275	307	320		
Energy information	63	37	46	61	64		
Administrative expenses (DOE)	503	311	392	458	480		
Proposed legislation	5			3	22		
Subtotal	1,006	664	799	930	990		
Deductions for offsetting receipts	—95	—23	—26	—95	—95		
Total	9,544	4,172	7,837	9,634	10,384		
ADDENDUM							
Off-budget Federal entity: Rural electrification and telephone revolving fund		394	62				

Source: *Ibid.*, p. 104.**ASSESSING THE POLICY IMPACT**

As noted earlier in this chapter, few of the proposed specific program incentives and disincentives included in the National Energy Policy Act represented any marked divergence from energy legislation already enacted, or in the case of the taxing measures, already thoroughly considered or passed by the House during the 93rd and 94th Congresses. With the exception of nuclear policies, Congressional enactments in the 95th Congress primarily continued or strengthened conservation, natural gas, solar, coal conversion and utility rate programs and proposals for which legislation was already on the books or had been proposed and debated at length in earlier Congresses.

However, although most of the programs were not new, there were several distinctive policy features in the Administration's proposals which sought to provide a different rationale within which policies and programs could be understood and future program initiatives could be developed and accommodated.

THE ADMINISTRATION'S DISTINCTIVE POLICY INITIATIVES

As summarized earlier, the following concepts proposed by the President did represent fairly radical departures from earlier assumptions, and to these distinctive initiatives the 95th Congress provided its own distinctive response.

President Carter and his new energy advisers:

Claimed the prerogative of a leading Federal role in determining national energy policy.

Declared U.S. intent to try to halt the spread of nuclear weapons capability throughout the world, by suspending reprocessing of spent fuels, stopping work on the plutonium breeder reactor, and subjecting U.S. nuclear exports and foreign assistance to related self-denying nuclear constraints.

Asserted a new domestic energy pricing concept based on oil-import replacement costs.

Proposed a crude oil equalization tax (COET) on domestic oil producers, as the primary tool by which this new pricing policy would be put into effect.

Proposed to capture as tax revenue, through COET, the difference between domestic crude oil and world oil prices, to take "excessive profits" from the producers and rebate them to consumers in keeping with equity and other social goals.

Gave conservation efforts priority over efforts to increase supply.

Proclaimed a new definition of the energy problem facing the United States, placing it in a world context of mid-1980's oil-import stringency to be met with an oil import reduction strategy, to be measured by specific 1985 conservation and fuel switching goals. Imports were to be held to 6 million barrels of oil a day.

THE DISTINCTIVE CONGRESSIONAL RESPONSE

When the dust settled after the 95th Congress adjourned, some three dozen energy related enactments defined the initial Congressional response to these policy initiatives, revealing some interesting anomalies.

Collectively, the Congressional enactments quite clearly supported and endorsed the Administration's assertions that—

The Federal Government should take the leading role in determining national energy policy,

The proliferation of nuclear weapons capability should be discouraged; and that,

The price of energy should reflect its oil import replacement costs.

However, Congress left unsettled such key nuclear issues as licensing of U.S. nuclear plants, recycling of spent fuels and the future of U.S. nuclear breeder plants and programs and did not accept the following four major policy concepts or proposals put forward in the President's first important exercise of his leading Federal policy making role.

Collectively, the 95th Congress:

Rejected the President's proposed crude oil equalization tax as the method of achieving higher oil prices.

Rejected the COET income redistribution concept but did not reach agreement on any alternate energy tax fund concept.

Strongly criticized the President's claim that conservation be given the dominant role and enacted a significant series of tax, grant and loan incentives intended to encourage the production of new fuels and new fuel using equipment, as an essential complement to a strong conservation program.

Implicitly rejected the President's formulation of the problem, in a world context or otherwise, dropping all references to specific oil import or other quantitative energy goals, or to a 1985 target date.

The following sections describe briefly the implications of Congressional enactments for the proposed leading Federal energy policy-making role; for the President's nuclear policy proposals; for the

proposed new energy pricing concept, the impact on oil import levels; the conservation dominated strategy; and for the emerging new perspective for defining the energy problem.

IMPLICATIONS FOR A LEADING FEDERAL POLICYMAKING ROLE

Under the Federal energy reorganization now in place, the Secretary of the new Department of Energy, consolidating a very wide range of energy policy and program authorities from half a dozen major energy agencies, serves as the President's principal agent in attempting to yield a greatly expanded Federal policymaking responsibility and role.

Under regulatory powers conveyed by legislation already enacted prior to 95th Congress enactments, the Federal Government was already authorized to:

- Set prices for old and new oil, for old and new interstate natural gas; and for enriched uranium materials.
- Set production goals for fuels on public land.
- Determine, under relatively general guidelines, which fuels could be burned in which boilers.
- Allocate coal.
- Under emergency presidential powers, allocate oil, oil products and natural gas.
- Negotiate the price for up to one billion barrels of oil for strategic stockpile storage.
- Determine the quantity of gasoline which can be produced in domestic refineries.
- Set standards for a wide range of industrial and consumer products, auto fuel efficiencies and thermal building requirements.
- Control the exports of coal, oil, uranium, nuclear plants and equipment, and electricity.
- Accelerate or slow down the rate at which additional nuclear electric power generating capacity will be authorized.
- Create new energy supply industries through a combination of economic incentives, pricing powers, contracting authority and technological hn capabilities.

To these authorities, laws enacted by the 95th Congress have now added Federal authority to control the price of intrastate natural gas and authority to preempt State energy-efficiency manufacturing standards for a broad range of appliances sold in the national market.

In the context of the new consolidation of energy agencies and the proposed new philosophy of a primary Federal policymaking role, these powers are formidable. Collectively they represent Federal authorities exercised in the past only in times of war, national disaster and emergency—if not “the moral equivalent of war,” the peacetime regulatory equivalent of wartime powers.

Whether the President or a Secretary of Energy could actually successfully exercise such powers in the absence of war or similar national emergency is still questionable, particularly if the programs and policies to be enforced turn out to run counter to the de facto national energy goals represented by private sector desires and intent.

Congress has not completed its own reassessment of national energy policy and it is by no means certain that it is prepared to endorse all

future changes proposed for the Federal energy policymaking role, and may wish to reassess whether it intends all previously enacted authority to remain in DOE in the future.

In the law establishing the new DOE, while the Congress admittedly created a potentially powerful Department of Energy, it also has attempted to put a leash on its Secretary via the semi-independent FERC, public and judicial review processes, public participation requirements, and peerage with rather than dominance over economic and environmental concerns.

Meanwhile, most of the major decisions in all the important energy policy vectors which make up national energy policy continue to be made primarily, as they have in the past, in the private sector, even though with increased public presence.

IMPLICATIONS FOR THE PROPOSED NEW NUCLEAR POLICY

The 95th Congress strongly endorsed the President's new proliferation policies through legislation directed at preventing further spread of nuclear weapons capability abroad from U.S. nuclear exports. However, on crucial issues of domestic policy, Members adjourned leaving unanswered such questions as whether to continue the Clinch River Breeder Reactor project, whether to shorten reactor construction time, and how to dispose of radioactive waste.

Foreign response to the non-proliferation policies embodied in the new legislation has been at best lukewarm. The net effect of "suspending indefinitely" the reprocessing of spent fuels in the United States and the attaching of new conditions to the export of fuels and equipment has been to call into serious question the reliability of existing or future U.S. commitments to supply enriched uranium to conventional fission plants planned or already in operation abroad.

As noted earlier, the Administration's policy on the near-term role of nuclear power in the national energy plan was uncertain, and the Congress did nothing to clarify it. Although the President had declared before his election that nuclear power should be used as "a last resort," the National Energy Plan included the addition of some 75 large nuclear plants to the 60-odd units already operating. The President's bill to reform and streamline the nuclear plant licensing process, however, was submitted to the Congress only after a long and bitter intra-Administration battle over whether to tie further nuclear licensing to a demonstration of successful nuclear waste management, and even after submission of the bill it was clear that licensing reform was not a central component of the Administration's energy policy. The licensing bill as submitted drew criticism both from environmentalists and nuclear industry spokesmen, and was not reported out by any Congressional Committee.

IMPLICATIONS FOR THE PROPOSED NEW ENERGY PRICING CONCEPT

Among Administration proposals rejected by the 95th Congress, the crude oil equalization tax was perhaps the object of the hardest bargaining and most emotional exchanges of rhetoric. The Administration had laid the highest priority on its passage in some form or other. The Secretary of Energy repeatedly called it the heart of his

oil pricing strategy—a strategy only partially reflected in the Plan's energy pricing principle, namely that "energy prices should generally reflect the true replacement cost of energy."

As elaborated in the Plan (p. 30), higher prices were considered to be essential to the conservation dominated orientation of the Plan:

Neither Government policy nor market incentives can create additional oil or gas in the ground. But from a long-term perspective, prices are an important influence on production and use. As long as energy consumers are enticed into believing that they can continue to pay yesterday's prices for tomorrow's energy, they will continue to use more energy than the nation can really afford, U.S. resources will be rapidly exhausted, and continued overuse will make the inevitable transition more sudden and difficult.

However, this rationale was followed immediately, in the next paragraph, with a parallel insistence that the pricing policy should simultaneously prevent producers from receiving "windfall profits":

Although producers need incentives for exploration and new development, pricing policies should not give them windfall profits unrelated to their economic contribution. If producers were to receive tomorrow's prices for yesterday's discoveries, there would be an inequitable transfer of income from the American people to the oil and gas producers, and producers' profits would be excessive.

The Administration proposed to rebate the taxes collected from the oil producers, to middle- and low-income consumers so as to dampen the inflationary impact on their household budgets (an act which would also somewhat reduce the effectiveness of a price incentive approach to conserve energy).

On October 13, 1977, the day conferees were appointed and began consideration of the non-tax provisions of the National Energy Act as passed by the House and Senate, President Carter opened his news conference with a statement on energy. He referred to "potential war profiteering . . . the biggest rip-off in history" as the probable consequence of Congressional failure to endorse Administration proposals for continued regulation of the price of natural gas and the crude oil equalization tax.

When the Congressional decision was reached and enacted a full year later—and the President's signature acceding to the verdict was dry—the implication for the proposed new energy pricing concept was clear.

Implicitly, Congress endorsed the concept—that the price of oil should generally reflect the replacement cost of energy, which under present conditions is the cost of imported oil. While Congress rejected COET as the method of achieving higher prices, Congress reaffirmed a previous decision, made in December 1975 in the Energy Policy and Conservation Act (EPCA, P.L. 94-163), to permit domestic crude oil prices to rise to close to their oil import replacement cost within the next few years—in fact by May 1979—should the President exercise his discretionary powers.

At the same time, this action also expressed Congressional desire to avoid placing such further tax constraints on oil producers at this time, so that higher prices could serve both as an incentive to conserve—on the part of consumers—and an incentive for increased production—on the part of producers.

It also expressed Congressional rejection of the COET income redistribution concept.

A similar price production incentive rationale influenced the final Congressional decision on natural gas prices.

The price formula and levels set in the Natural Gas Policy law are not merely intended to be fair to consumers and producers, as in the 1938 Natural Gas Act, but to be attractive to producers, leading them to increase their efforts. The desire to have market forces eventually dictate those prices is abetted by the desire embodied in Title II of the bill to require a true market test of those prices. This is attempted by requiring them to be passed to certain classes of low priority users in full, rather than averaged down by being mixed with cheaper flowing gas. The incremental pricing provisions are of uncertain bite, because of significant exemptions among heavy users but are likely to reduce industrial gas consumption considerably below what it would have been under traditional pricing.

In sum, Congress supported the energy replacement pricing concept—but rejected the Administration's proposed tax method for achieving it.

THE IMPACT ON OIL IMPORT LEVELS

As measured against the Administration's declared goal of reducing oil imports to 6 million barrels of oil a day by 1985, the impact of the laws enacted will be marginal at best.

The oil import impact of the legislation as claimed by the Department of Energy is:

2.5 to 3 million barrels a day by 1985, compared to what we would otherwise have required for an estimated balance of payments savings of approximately \$14 billion in current dollars (as much as \$20 billion in 1985 dollars). (See Table 1.)

Many observers discount these import savings claims. One estimate cited in a New York Times assessment of November 10, 1978, assumes total import savings in the range of 800,000 barrels a day.

Meanwhile, according to November 7, 1978 DOE's "Petroleum Demand Watch:"

Domestic demand for all petroleum products for the four weeks ending October 27, 1978, averaged 18.8 million barrels per day, 5.5 percent more than the level for the same period in 1977. Demand was 10.3 percent above the 1976 level and 9.7 percent above the level in 1973.

Motor gasoline demand was 2.8 percent above last year's demand, 5.9 percent above the 1976 level, and 10.1 percent above the 1973 level.

Demand for distillate was 11.2 percent above the 1977 level, up 11.1 percent from 1976, and 16.0 percent above 1973. Residual fuel oil demand was down 1.6 percent from the 1977 level, 6.5 percent above 1976, and 2.9 percent above 1973.

Imports for the four-week period averaged 8.6 million barrels per day, 5.2 percent above the 1977 level, 14.2 percent above 1976, and 29.7 percent above 1973. Crude oil imports were 84.0 percent higher than in 1973 and product imports down 39.8 percent from the 1973 level.

There is a growing feeling that the consideration of probable import levels in the future is less influential in policy decisions than previously, given the economic uncertainties the nation faces and general willingness to test the thesis that the new legislation will improve the import situation as much as can be expected in the absence of injurious economic effects.

TABLE 1.—DOE estimates: 1985 Import Savings Estimates for the National Energy Act (Public Laws 95-617, 95-618, 95-619, 95-620, and 95-621)

	Savings in thousands of barrels per day
Conservation:	
Building conservation programs/appliances	410
Auto and truck standards	1 265
Utility rate reform	0-160
Natural gas pricing	2 1000-1400
Coal conversion	300
Energy taxes:	
Residential tax credits	225
COET	
Oil and Gas user tax	80
Gas guzzler tax	80
Business energy credits	100
Total	2390-2950

¹ Assumes ECPA penalties are increased to full extent permitted. Assumes completion of administrative action to implement truck standards.

² DOE estimates of savings under the natural gas bill range from 1.0 million barrels per day to 1.4 million barrels per day depending upon the degree of oil displacement which occurs as a result of increased gas supply. Increases in gas supply may displace LNG, propane and butane as well as oil. The precise displacement ratios will depend upon world oil prices and other market conditions.

There is also a growing feeling that U.S. dependence on imported oil—or, indeed, on oil itself, domestic or foreign—cannot be reduced until a national production strategy and rationale to achieve this goal is designed, accepted, supported and launched.

Such a production strategy would need to be designed to produce both the large volume of fuels alternative to oil and the large volume of oil-conserving and alternate fuel conversion equipment necessary to enable real reductions in demand for oil—hence, in demand for imported oil.

That feeling, well short of a national strategy, is nonetheless reflected in 95th Congress enactments which are intended to encourage greater production efforts in these dual alternate fuel supply and alternate fuel using equipment fields.

These are summarized in the following section.

THE IMPACT ON ENERGY PRODUCTION AND SUPPLIES

Congressional criticism of the lack of any energy supply strategy in the Administration's National Energy Plan began soon after its April 1977 unveiling. The General Accounting Office, and the Office of Technology Assessment, in studies commissioned by Congress, flagged shortfalls in domestic production from NEP estimates which seriously undermined the oil import, energy conservation and fuel conversion goals, and called for development of an energy supply program to meet the gap.

As noted earlier, House criticism provoked a January 1978 promise from the Secretary of Energy to provide a NEP-Phase II supply proposal "within 90 days," and a Phase II draft was submitted to Congress May 15, 1978, subject to the constraint that any FY 1979 funding be achieved by reprogramming existing funds.

Although not designed as a collective Congressional initiative, several of the laws enacted by the 95th Congress authorize what could become significant energy production programs, for a wide range of energy saving and fuel conversion equipment, as well as encouraging increased production of fuels alternative to oil. Among these are:

- The pricing provisions of the Natural Gas Act, deliberately intended to serve as an incentive to increase domestic supplies.
- Tax incentives for development of geothermal resources and geo-pressured natural gas.
- Extension of favorable minimum tax treatment of intangible drilling costs for oil and gas into future years.
- The Powerplant and Industrial Fuel Use Act provides an \$800 million loan program to assure utilities to raise necessary funds for pollution control, a measure intended to encourage conversion to coal.
- The Energy Tax Act includes business tax credits for industrial investments in alternative energy property—boilers for coal, nonboiler burners for alternate fuels, heat, conservation and recycling equipment.
- Substantial boosts for the production of solar equipment were provided in a variety of grant and loan laws: the \$100 million HUD program for a solar demonstration in Federal buildings, \$98 million for solar photovoltaic systems in Federal facilities; tax credits for insulation, installation of solar or wind equipment, mandated use of cost-effective solar equipment in new military construction.
- In general, supporting increased efforts to promote the production of synfuels, Congress authorized \$300 million in loan guarantees for demonstration facilities for the conversion of oil shale, coal, biomass, and other domestic resources into alternate fuels (P.L. 95-238) (but rejected the proposed \$3 dollar a barrel subsidy for shale oil).

These do not add up to a firm Congressional rationale on supply strategy, but they do represent, as did rejection of COET and the tax on business use of oil and gas, a desire to encourage—rather than punish or coerce—producers and users of many forms of energy supplies and equipment.

THE EMERGING NEW PERSPECTIVE FOR DEFINING THE ENERGY PROBLEM

Finally, the collective Congressional enactments of the 95th Congress reflect an implicit rejection of the Administration's formulation of the energy problem in favor of a broader time frame and perspective as the context within which legislation and proposed programs should be considered.

As noted earlier, the Administration had defined the problem as one threatening national security itself. Urgency for national action was predicated on a judgment that the world's demand for oil and natural gas, if not significantly moderated, would exceed world productive capacity as early as 1985, threatening "catastrophe."

The President's energy analysts have approached U.S. and world oil supply-demand questions via "energy gap" methodology. First they assume for each country growth rates based mostly on that nation's economic plans, extrapolate demand under a range of price assumptions and conservation impacts close to those of recent experience, and estimate domestic energy production capabilities. From all this they calculate domestic energy demands that cannot be met domestically. These demands, adjusted for small amounts of LNG and other fuels, are then assumed to be met with imported oil. All such import requirements are added to generate the world oil demand,

which is then compared against OPEC production capabilities. This theme of world demand outrunning world supply continued to dominate President Carter's statement in support of his energy proposals until mid-1978.

Dissenting assessments were slow in coming, but they have come. One of the first was prepared by the United States International Trade Commission under the title "Factors Affecting World Petroleum Prices to 1985," which concluded that "although crude petroleum supplies may tighten between now and 1985, no disruptive shortage is foreseen."

Since the ITC study, many analysts and institutional research studies which had supported the President's position, began to change their assessments first in statements of disbelief such as those made by Arnold Safer of Irving Trust and Bruce Netschert of National Economic Research Associates, later in full-fledged studies such as that by John Lichtblau of Petroleum Industry Research Foundation for Electric Power Research Institute and the World Energy Study by SRI International.

In general, energy policy research assessments now lean toward the conclusion that world oil supply will be plentiful relative to demand at least through the mid-1980's and perhaps even until the year 2000 at or quite near to current prices in constant dollars. The basis for such a judgment: oil consuming nations will grow more slowly than had been forecast earlier, energy consumption per unit of economic activity will decrease as economies adjust to current prices, and the current prices (so much higher than prices only a few years ago) will bring forth significant new oil supplies such as those now being announced in Mexico.

For these and other reasons, as the 95th Congress ended, the policy focus on the part of both the Administration and the Congress seemed to be shifting to a broader time frame and a broader perspective.

The Department of Energy continues to hold to its original view of problems in the mid-1980s but is gradually shifting its forecasts toward less-catastrophic supply-demand problems over the mid-term. Political disturbances in any strategic oil-producing country, as for example the current unrest in Iran, may provide support to the DOE position that the need for stronger action is urgent.

Nevertheless, as the 95th Congress ended, there was much less attention being paid to a given target date, 1985 or otherwise, or even to specific quantitative energy supply or conservation goals. In fact, as the legislation moved through the Senate and Conference, both the 1985 date and the list of specific quantitative goals—which were major features of the newly proposed National Energy Plan (NEP) and were endorsed in the House-passed bill—were dropped. There is no mention of the 1985 date or any of the goals in the energy legislation finally enacted.

It is conceded that oil import dependence is likely to continue well beyond 1985 and, in the absence of a severe recession, naval war or prolonged embargo, at levels considerably higher than the six million barrels of oil per day targeted in the NEP.

It is realized that the massive and comprehensive replacement of petroleum-using capital stock—residential, commercial, industrial, and personal transport—needed to reduce dependence on oil, will

simply be harder to accomplish and may well take much longer than had originally been hoped. This will be true whether future embargoes or foreign political disturbances interrupt the flow of oil or not.

Instead, attention is being turned to the much more diffused but basic question: what should now be the pace and nature of the Nation's economic adjustment to higher energy prices and who should lead in this adjustment process?

This question would appear to be one of the most fundamental and overriding energy policy issues with which the 96th Congress will now be engaged.

APPENDIX I

LEGISLATIVE HISTORY OF SELECTED ENERGY RELATED LAWS¹ 95TH CONGRESS

MAJOR ENERGY-RELATED LEGISLATION ENACTED IN THE 95TH CONGRESS

Public Law 95-2—Emergency Natural Gas Act
Public Law 95-87—Surface Mining Control and Reclamation Act
Public Law 95-88—International Development and Food Assistance Act
Public Law 95-91—Department of Energy Organization Act
Public Law 95-92—International Security Assistance Act
Public Law 95-93—Youth Employment and Demonstration Projects Act
Public Law 95-95—Clean Air Amendments
Public Law 95-96—Public Works for Water and Power Development and Energy Research Appropriation Act
Public Law 95-108—Arms Control and Disarmament Act Amendments
Public Law 95-110—Bill to abolish the Joint Committee on Atomic Energy
Public Law 95-113—Food and Agriculture Act
Public Law 95-143—Bill to extend and amend the Export-Import Bank Act of 1945
Public Law 95-148—Foreign Assistance and Related Programs Appropriations Act
Public Law 95-183—ERDA Authorization Act: Military Applications
Public Law 95-202—GI Bill Improvements Act
Public Law 95-209—Fiscal year 1978 and fiscal year 1979 Appropriations to Nuclear Regulatory Commission
Public Law 95-236—Fiscal year 1977 Appropriations to ERDA for Nuclear and Environmental Research
Public Law 95-238—ERDA Authorization of 1978: Civilian Applications
Public Law 95-240—Fiscal year 1978 Supplemental Appropriations to several agencies
Public Law 95-242—Nuclear Nonproliferation Act
Public Law 95-253—Resolution proclaiming May 3, 1978, “Sun Day”
Public Law 95-297—Petroleum Marketing Practices Act
Public Law 95-315—Amendments to Small Business Act to provide assistance for acquisition of renewable energy source equipment to residences and small business
Public Law 95-355—Second Supplemental Appropriations Act
Public Law 95-356—Military Construction Authorization Act
Public Law 95-372—Outer Continental Shelf Lands Act Amendments
Public Law 95-424—International Development and Food Assistance Act
Public Law 95-426—Foreign Relations Authorization Act
Public Law 95-465—Fiscal year 1979 Appropriations to Departments of Interior; Agriculture; Energy; Health, Education and Welfare, and related agencies
Public Law 95-474—Port and Tanker Safety Act
Public Law 95-476—Veterans Housing Benefits Improvement Act
Public Law 95-482—Fiscal year 1979 Appropriations for ongoing projects in Departments of Labor; Health, Education and Welfare; and Defense Appropriations Acts
Public Law 95-509—DOE National Security and Military Applications of Nuclear Energy Authorization Act
Public Law 95-577—Authorizing Architect of Capitol to install solar energy devices in House office buildings
Public Law 95-590—Solar Photovoltaic Energy Research, Development and Demonstration Act

¹ Compiled by Adrienne Grenfell, Research Librarian, and Robert Bamberger, Analyst, Environment and Natural Resources Policy Division.

Public Law 95-599—Highway Revenue and Federal Public Transportation Act
 Public Law 95-601—Fiscal year 1979 and fiscal year 1980 Nuclear Regulatory Commission Appropriations
 Public Law 95-604—Uranium Mill Tailings Radiation Control Act
 Public Law 95-617—Public Utilities Regulatory Policies Act
 Public Law 95-618—Energy Tax Act
 Public Law 95-619—National Energy Conservation Policy Act
 Public Law 95-620—Powerplant and Industrial Fuel Use Act
 Public Law 95-621—Natural Gas Policy Act

MAJOR ENERGY-RELATED LEGISLATION APPROVED BUT NOT ENACTED

Senate 1811—Fiscal year 1978 ERDA Authorizations
 H. R. 12928—Fiscal year 1979 Public Works and Energy Research Appropriations

LEGISLATIVE HISTORY¹

S. 474—PUBLIC LAW 95-2

Short Title(s) as Introduced

Emergency Natural Gas Act

Factual Description.—Authorizes the President to declare natural gas emergencies and to order the transfer of supplies of natural gas from one pipeline system to another in order to alleviate the effects of severe natural gas shortages. Stipulates that activities undertaken pursuant to this Act shall be exempt from regulation under the Natural Gas Act and exempt from antitrust laws.

CHRONOLOGY

February 2, 1977—Public law 95-2
 February 2, 1977—Measure presented to President
 February 2, 1977—Measure enrolled in Senate
 February 2, 1977—Measure enrolled in House
 February 2, 1977—Senate agreed to conference report
 February 2, 1977—House agreed to conference report, rollcall No. 11 (336-82)
 February 2, 1977—Conference report filed in House, H. Rept. 95-7
 February 1, 1977—Conference scheduled in House
 February 1, 1977—Conference scheduled in Senate
 February 1, 1977—Measure passed House, amended, rollcall No. 9 (367-52)
 February 1, 1977—Measure considered in House
 February 1, 1977—Measure called up under motion to suspend rules and pass in House
 January 31, 1977—Measure passed Senate, amended, rollcall No. 21 (91-2)
 January 31, 1977—Measure considered in Senate
 January 28, 1977—Measure considered in Senate
 January 28, 1977—Measure called up by unanimous consent in Senate
 January 26, 1977—Placed on calendar in Senate

H.R. 2—PUBLIC LAW 95-87

Short Title(s) as Passed

Surface Mining Control and Reclamation Act

Factual Description.—Regulates surface coal mining operations through a permit program administered by the Secretary of the Interior. Requires applicants to meet minimum environmental protection performance standards. Allows States to establish surface mining control programs at least as stringent as minimum Federal standards.

Includes provisions to fund mineral resources research programs and to provide for reclamation of abandoned mine sites.

¹ Compiled from data supplied by the Bill Digest Section, American Law Division, CRS.

CHRONOLOGY

August 3, 1977—Public Law 95-87
 July 25, 1977—Measure presented to President
 July 25, 1977—Measure enrolled in Senate
 July 25, 1977—Measure enrolled in House
 July 21, 1977—House agreed to conference report, rollecall No. 450 (325-68)
 July 20, 1977—Senate agreed to conference report, rollecall No. 310 (85-8)
 July 20, 1977—Motion to recommit to the Committee of conference with instructions rejected in Senate, rollecall No. 309 (43-53)
 July 12, 1977—Conference report filed in Senate, S. Rept. 95-337
 July 12, 1977—Conference report filed in House, H. Rept. 95-493
 June 8, 1977—Conference scheduled in Senate
 May 25, 1977—Conference scheduled in House
 May 20, 1977—Measure passed Senate, amended, in lieu of S. 7, rollecall No. 159 (57-8)
 May 20, 1977—Measure considered in Senate
 May 20, 1977—Measure called up by unanimous consent in Senate
 May 5, 1977—Measure held at desk
 May 5, 1977—Committee on Energy and Natural Resources discharged in Senate
 May 3, 1977—Referred to Senate Committee on Energy and Natural Resources
 April 29, 1977—Measure passed House, amended, rollecall No. 174 (241-64)
 April 29, 1977—Motion to recommit to the Ad Hoc Comm. on Energy with instructions rejected in House, rollecall No. 173 (83-228)
 April 29, 1977—Measure considered in House
 April 28, 1977—Measure considered in House
 April 28, 1977—Measure called up by special rule in House
 April 22, 1977—Reported to House from the Committee on Interior and Insular Affairs with amendment, H. Rept. 95-218

H.R. 6714—PUBLIC LAW 95-88

Short Title(s) as Passed

International Development and Food Assistance Act

Factual Description.—Amends the Foreign Assistance Act of 1961 to authorize appropriations for fiscal year 1978 for: (1) food and nutrition, family planning, health, education, and environmental damage assistance; (2) development assistance for the Sahel; (3) American schools and hospitals abroad; (4) assistance to international organizations and programs; (5) international disaster assistance; (6) relief assistance to victims of the 1976 Italian earthquakes; and (7) operating expenses. Repeals the prohibitions on assistance to countries trading with Cuba and Vietnam. Sets forth certain foreign assistance policies and restrictions.

Amends the Agricultural Trade Development and Assistance Act of 1954 to establish food for development programs with provisions for the establishment of cooperative programs with developing countries in new energy technologies. The Act authorizes up to \$18 million to be used to carry out cooperative programs with particular emphasis on programs in research, development, and use of small-scale, decentralized, renewable energy resources for rural areas.

CHRONOLOGY

August 3, 1977—Public Law 95-88
 July 25, 1977—Measure presented to President
 July 25, 1977—Measure enrolled in Senate
 July 25, 1977—Measure enrolled in House
 July 22, 1977—Senate agreed to conference report
 July 21, 1977—House agreed to conference report, rollecall No. 447 (254-158)
 July 14, 1977—Conference report filed in House, H. Rept. 95-501
 June 20, 1977—Conference scheduled in House
 June 15, 1977—Conference scheduled in Senate
 June 15, 1977—Measure passed Senate, amended, in lieu of S. 1520, rollecall No. 207 (59-32)
 June 15, 1977—Measure considered in Senate
 June 15, 1977—Measure called up by unanimous consent in Senate

May 12, 1977—Measure passed House, amended, rollcall No. 228 (252-158)
 May 12, 1977—Motion to recommit to the Comm. on International Relations with instructions passed House, rollcall No. 227 (288-119)
 May 12, 1977—Measure considered in House
 May 12, 1977—Measure called up by special rule in House
 May 3, 1977—Reported to House from the Committee on International Relations, H. Rept. 95-240

S. 826—PUBLIC LAW 95-91

Short Title (s) as Amended by the House

Department of Energy Organization Act

Factual Description.—Establishes a Department of Energy in the executive branch. Transfers all functions of the Federal Energy Administration, the Energy Research and Development Administration, and the Federal Power Commission to the Department. Transfers specified functions from other departments and agencies to the Department.

CHRONOLOGY

August 4, 1977—Public Law 95-91
 August 3, 1977—Measure presented to President
 August 3, 1977—Measure enrolled in Senate
 August 2, 1977—Measure enrolled in House
 August 2, 1977—Senate agreed to conference report, rollcall No. 323 (76-14)
 August 2, 1977—House agreed to conference report, rollcall No. 490 (353-57)
 August 2, 1977—Motion to recommit to the Committee of Conference rejected in House, rollcall No. 489 (157-257)
 July 27, 1977—Conference report filed in Senate, S. Rept. 95-367
 July 26, 1977—Conference report filed in House, H. Rept. 95-539
 June 21, 1977—Motion to instruct conferees to insist on certain provisions passed House, rollcall No. 355 (228-179)
 June 21, 1977—Conference scheduled in House
 June 9, 1977—Conference scheduled in Senate
 June 3, 1977—Measure passed House, amended, in lieu of H.R. 6804
 June 3, 1977—Measure considered in House
 June 3, 1977—Measure called up by special rule in House
 May 18, 1977—Measure passed Senate, amended, rollcall No. 148 (74-10)
 May 18, 1977—Measure considered in Senate
 May 18, 1977—Measure called up by unanimous consent in Senate
 May 14, 1977—Reported to Senate from the Committee on Governmental Affairs with amendment, S. Rept. 95-164

H.R. 6884—PUBLIC LAW 95-92

Short Title(s) as Passed

International Security Assistance Act

Provides for cutoff of funds to any country delivering or receiving nuclear enrichment materials or technology unless all deliveries are placed under multilateral auspices, and all materials placed under International Energy Agency safeguards. Provides for a cutoff of funds to any country which delivers or receives reprocessing materials or technology, or which detonates a nuclear explosive and is not party to the Non-Proliferation Treaty.

CHRONOLOGY

August 4, 1977—Public Law 95-92
 July 25, 1977—Measure presented to President
 July 25, 1977—Measure enrolled in Senate
 July 25, 1977—Measure enrolled in House
 July 22, 1977—Senate agreed to conference report
 July 21, 1977—House agreed to conference report, rollcall No. 448 (262-147)

July 15, 1977—Conference report filed in House, H. Rept. 95-503
 June 20, 1977—Conference scheduled in House
 June 15, 1977—Conference scheduled in Senate
 June 15, 1977—Measure passed Senate, amended, in lieu of S. 1160, rollcall No. 209 (67-18)
 June 15, 1977—Measure considered in Senate
 July 15, 1977—Measure called up by unanimous consent in Senate
 May 26, 1977—Placed on calendar in Senate
 May 24, 1977—Measure passed House, amended, rollcall No. 282 (242-163)
 May 24, 1977—Motion to recommit to the Committee on International Relations with instructions rejected in House rollcall No. 281 (150-256)
 May 24, 1977—Measure considered in House
 May 23, 1977—Measure considered in House
 May 23, 1977—Measure called up by special rule in House
 May 9, 1977—Reported to House from the Committee on International Relations, H. Rept. 95-274
 H.R. 6138—PUBLIC LAW 95-93

Short Title(s) as Passed

Youth Employment and Demonstration Projects Act

Factual Description.—Amends the Comprehensive Employment and Training Act of 1973. Includes: "Financial assistance is available to State and local governments for the creation of useful work experience opportunities for youth in community betterment activities. Specifically mentioned in the Act were activities such as rehabilitation of public properties, and projects involving the demonstration of energy-conserving measures including solar energy techniques."

CHRONOLOGY

August 5, 1977—Public Law 95-93
 July 25, 1977—Measure presented to President
 July 25, 1977—Measure enrolled in Senate
 July 25, 1977—Measure enrolled in House
 July 21, 1977—Senate agreed to conference report
 July 19, 1977—House agreed to conference report, rollcall No. 438 (356-58)
 June 22, 1977—Conference report filed in House, H. Rept. 95-456
 June 13, 1977—Conference scheduled in House
 May 26, 1977—Conference scheduled in Senate
 May 26, 1977—Measure passed Senate, amended, in lieu of S. 1242, rollcall No. 170 (80-3)
 May 26, 1977—Measure considered in Senate
 May 26, 1977—Measure called up by unanimous consent in Senate
 May 19, 1977—Placed on calendar in Senate
 May 17, 1977—Measure passed House, amended, rollcall No. 240 (334-61)
 May 17, 1977—Measure considered in House
 May 17, 1977—Measure called up under motion to suspend rules and pass in House
 May 13, 1977—Reported to House from the Committee on Education and Labor with amendment, H. Rept. 95-314

H.R. 6161—PUBLIC LAW 95-95

Short Title(s) as Amended by the Senate

Clean Air Amendments

Factual Description.—Amends the Clean Air Act to require studies of additional air pollution problems. Requires increased study of economic impact and cost-effective controls. Authorizes variances and extensions from standards applicable to stationary and mobile sources.

Establishes procedures for the prevention of significant deterioration of air quality. Imposes limitations on the use of indirect source controls. Prohibits conflicts of interest in Federal, State, and local regulatory authorities.

Authorizes appropriations to carry out the Act for the next three fiscal years.

CHRONOLOGY

August 7, 1977—Public Law 95-95
 August 6, 1977—Measure presented to President
 August 6, 1977—Measure enrolled in Senate
 August 6, 1977—Measure enrolled in House
 August 4, 1977—Senate agreed to conference report
 August 4, 1977—House agreed to conference report
 August 3, 1977—Conference report filed in House, H. Rept. 95-564
 June 21, 1977—Conference scheduled in House
 June 13, 1977—Conference scheduled in Senate
 June 10, 1977—Measure passed Senate, amended, in lieu of S. 252, rollcall No. 190
 (73-7)
 June 10, 1977—Measure considered in Senate
 June 10, 1977—Call of calendar in Senate
 June 6, 1977—Placed on calendar in Senate
 May 26, 1977—Measure passed House, amended, rollcall No. 291 (326-49)
 May 26, 1977—Motion to recommit to the Committee on Interstate and Foreign
 Commerce rejected in House
 May 26, 1977—Measure considered in House
 May 25, 1977—Measure considered in House
 May 24, 1977—Measure considered in House
 May 24, 1977—Measure called up by special rule in House
 May 12, 1977—Reported to House from the Committee on Interstate and Foreign
 Commerce with amendment, H. Rept. 95-294

H.R. 7553—PUBLIC LAW 95-96

Short Title(s) as Passed

Public Works for Water and Power Development and Energy Research Appropriation Act

Factual Description.—Makes appropriations for fiscal year 1978 to the Energy Research and Development Administration, the Department of the Army, the Department of the Interior and related agencies for public works.

CHRONOLOGY

August 7, 1977—Public Law 95-96
 July 28, 1977—Measure presented to President
 July 27, 1977—Measure enrolled in Senate
 July 27, 1977—Measure enrolled in House
 July 25, 1977—Senate receded and concurred in House amendment to certain
 Senate amendment
 July 25, 1977—Senate agreed to conference report
 July 25, 1977—House receded and concurred with amendment in certain Senate
 amendment
 July 25, 1977—House receded and concurred in certain Senate amendments
 July 25, 1977—House agreed to conference report, rollcall No. 454 (318-61)
 July 20, 1977—Conference report filed in House, H. Rept. 95-507
 July 18, 1977—Conference scheduled in House
 July 13, 1977—Conference scheduled in Senate
 July 13, 1977—Measure passed Senate, amended, rollcall No. 284 (85-3)
 July 13, 1977—Measure considered in Senate
 July 12, 1977—Measure considered in Senate
 July 11, 1977—Measure considered in Senate
 July 1, 1977—Measure considered in Senate
 June 30, 1977—Measure considered in Senate
 June 30, 1977—Measure called up by unanimous consent in Senate
 June 25, 1977—Reported to Senate from the Committee on Appropriations with
 amendment, S. Rept. 95-301
 June 15, 1977—Referred to Senate Committee on Appropriations
 June 14, 1977—Measure passed House, amended, rollcall No. 339 (356-54)
 June 14, 1977—Motion to recommit to the Committee on
 June 14, 1977—Appropriations rejected in House
 June 13, 1977—Measure considered in House
 June 13, 1977—Measure called up by unanimous consent in House.
 June 2, 1977—Reported to House from the Committee on Appropriations, H.
 Rept. 95-379

H.R. 6179—PUBLIC LAW 95-108

Short Title(s) as Amended by the Senate

Arms Control and Disarmament Act Amendments

Factual Description.—Authorizes the President to appoint a Special Representative for Arms Control and Disarmament Negotiations. Authorizes the Director of the United States Arms Control and Disarmament Agency to make arrangements for studies of arms control and disarmament by foreign countries as well as the United States. Amends the security requirements with respect to restricted data, under the Atomic Energy Act of 1954, to require approval by the Director for access to such data. Authorizes appropriations for fiscal year 1978 to carry out the Arms Control and Disarmament Act. One provision authorized appropriation of funds and specified that \$2 million shall be available only for the purpose of furthering nuclear safeguards programs and activities of the IAEA.

CHRONOLOGY

August 17, 1977—Public Law 95-108
 August 6, 1977—Measure presented to President
 August 5, 1977—Measure enrolled in Senate
 August 5, 1977—Measure enrolled in House
 August 4, 1977—Senate agreed to conference report
 August 4, 1977—House agreed to conference report
 August 3, 1977—Conference report filed in House, H. Rept. 95-563
 June 20, 1977—Conference scheduled in House
 June 16, 1977—Conference scheduled in Senate
 June 16, 1977—Measure passed Senate, amended, rollcall No. 220 (82-0)
 June 16, 1977—Measure considered in Senate
 June 16, 1977—Measure called up by unanimous consent in Senate
 May 16, 1977—Reported to Senate from the Committee on Foreign Relations with amendment, S. Rept. 95-193
 May 4, 1977—Referred to Senate Committee on Foreign Relations
 May 3, 1977—Measure passed House, amended, rollcall No. 187 (395-15)
 May 3, 1977—Measure considered in House
 May 3, 1977—Measure called up by special rule in House
 April 25, 1977—Reported to House from the Committee on International Relations, H. Rept. 95-219

S. 1153—PUBLIC LAW 95-110

Official Title as Introduced

A bill to abolish the Joint Committee on Atomic Energy and to reassign certain functions and authorities thereof

Factual Description.—Abolishes the Joint Committee on Atomic Energy. Amends the Atomic Energy Act of 1954 and the Atomic Energy Community Act of 1955 to transfer the functions and authorities of the Joint Committee to other congressional committees.

Requires the transfer of records of the Joint Committee to specified Senate Committees.

Establishes in the Senate an Office of Classified National Security Information to safeguard classified information of Senate committees.

Requires the transfer of staff members of the Joint Committee to the Office or to the staff of a new committee.

CHRONOLOGY

September 20, 1977—Public Law 95-110
 September 9, 1977—Measure presented to President
 August 6, 1977—Measure enrolled in Senate
 August 6, 1977—Measure enrolled in House
 August 5, 1977—Senate agreed to House amendments
 August 5, 1977—Measure passed House, amended (inserted text of H.R. 8542)
 August 5, 1977—Measure considered in House
 August 5, 1977—Measure called up by committee discharge in House
 April 4, 1977—Referred to House Committee on Rules
 March 31, 1977—Measure passed Senate
 March 31, 1977—Measure considered in Senate

March 31, 1977—Measure called up by unanimous consent in Senate
 March 29, 1977—Placed on calendar in Senate

S. 275—PUBLIC LAW 95-113

Short Title(s) as Amended by the Senate

Food and Agriculture Act: Wheat and Wheat Foods Research and Nutrition Education Act

Factual Description.—Extends through 1982, under the Agriculture Act of 1970, the basic programs for dairy products, wool, wheat, feed grains, cotton and rice. Establishes cost of production as the basis for target prices for wheat, feed grains and cotton. Establishes three consultant panels to help coordinate national food and agriculture research.

Includes a comprehensive package of congressional initiatives designed to promote solar energy use in American farms. Authorizes the Agricultural Research Service to conduct research into various solar applications for farm needs. Provides low-interest loans for solar energy systems in the farm and in farm operations. Provides for the establishment of model solar energy demonstration farms within each State and for three to five regional solar agricultural demonstration centers in the United States.

CHRONOLOGY

September 29, 1977—Public Law 95-113
 September 21, 1977—Measure presented to President
 September 19, 1977—Measure enrolled in Senate
 September 19, 1977—Measure enrolled in House
 September 16, 1977—Conference report agreed to in House, rollcall No. 557 (283-107)
 September 12, 1977—Conference report filed in House, H. Rept. 95-599
 September 9, 1977—Senate agreed to conference report, rollcall No. 362 (63-8)
 September 9, 1977—Conference report filed in Senate, S. Rept. 95-418
 July 29, 1977—Conference scheduled in Senate
 July 28, 1977—Conference scheduled in House
 July 28, 1977—Measure passed House, amended, in lieu of H.R. 7171
 July 28, 1977—Measure considered in House
 July 28, 1977—Measure called up by special rule in House
 May 24, 1977—Measure passed Senate, amended, rollcall No. 169 (69-18)
 May 24, 1977—Measure considered in Senate
 May 23, 1977—Measure considered in Senate
 May 23, 1977—Measure called up by unanimous consent in Senate
 May 16, 1977—Reported to Senate from the Committee on Agriculture, Nutrition and Forestry with amendment, S. Rept. 95-180

H.R. 6415—PUBLIC LAW 95-143

Official Title as Introduced

A bill to extend and amend the Export-Import Bank Act of 1945

Factual Description.—Amends the Export-Import Bank Act of 1965 to require consideration of human rights in the extension of credit. Restricts credit for certain nuclear exports. Requires the Secretary of State to report to Congress and to the Export-Import Bank violations of certain nuclear safeguard agreements and standards.

Directs the Bank to seek agreements with other government agencies to reduce government-supported export financing.

Extends the authority of the Bank to September 30, 1978.

CHRONOLOGY

October 26, 1977—Public Law 95-143
 October 14, 1977—Measure presented to President
 October 14, 1977—Measure enrolled in Senate
 October 14, 1977—Measure enrolled in House
 October 14, 1977—House agreed to conference report, rollcall No. 654 (281-62)
 September 26, 1977—Conference report filed in House, H. Rept. 95-627

September 23, 1977—Senate agreed to conference report
 August 1, 1977—Conference scheduled in Senate
 July 28, 1977—Conference scheduled in House
 June 29, 1977—Measure passed Senate, amended
 June 29, 1977—Measure considered in Senate
 June 29, 1977—Measure called up by unanimous consent in Senate
 June 21, 1977—Reported to Senate from the Committee on Banking, Housing and Urban Affairs with amendment, S. Rept. 95-279
 May 4, 1977—Referred to Senate Committee on Banking, Housing and Urban Affairs
 May 3, 1977—Measure passed House, amended, rollcall No. 182 (281-126)
 May 3, 1977—Measure considered in House
 May 3, 1977—Measure called up under motion to suspend rules and pass in House
 May 2, 1977—Reported to House from the Committee on Banking, Finance and Urban Affairs with amendment, H. Rept. 95-235

H.R. 7797—PUBLIC LAW 95-148

Short Title(s) as Amended by the House

Foreign Assistance and Related Programs Appropriations Act

Factual Description.—Makes appropriations for fiscal year 1978 for (1) Foreign Assistance Act activities, (2) foreign military credit sales, (3) migration and refugee assistance, (4) payments to international financial institutions, and (5) the Export-Import Bank.

Title IV includes a nonproliferation restriction on the Export-Import Bank for FY78 funds. It prohibits use of these funds to finance the export of nuclear equipment, fuel, or technology to any country other than a nuclear weapons state that detonated a nuclear explosive after the date of the Act (31 USC 849, 91 Stat. 1238).

CHRONOLOGY

October 31, 1977—Public Law 95-148
 October 25, 1977—Measure presented to President
 October 25, 1977—Measure enrolled in Senate
 October 21, 1977—Measure enrolled in House
 October 19, 1977—Senate receded from certain amendments
 October 19, 1977—Senate agreed to House amendments to certain Senate amendments
 October 19, 1977—Senate agreed to conference report, rollcall No. 571 (53-33)
 October 18, 1977—Motion to recede and concur in certain Senate amendment rejected in House, rollcall No. 666 (188-219)
 October 18, 1977—House receded from its disagreement and concurred in certain Senate amendments
 October 18, 1977—House agreed to conference report, rollcall No. 665 (229-195)
 October 12, 1977—Motion to recommit conference report to the Committee of Conference passed House, rollcall No. 641 (273-126)
 October 12, 1977—Conference report filed in House, H. Rept. 95-701
 September 26, 1977—Conference report filed in House, H. Rept. 95-633
 September 15, 1977—Conference scheduled in House
 August 5, 1977—Conference scheduled in Senate
 August 5, 1977—Measure passed Senate, amended, rollcall No. 846 (40-27)
 June 22, 1977—Measure called up by unanimous consent in House
 June 15, 1977—Reported to House from the Committee on Appropriations, H. Rept. 95-417
 July 18, 1977—Reported to Senate from the Committee on Appropriations with amendment, S. Rept. 95-352
 June 24, 1977—Referred to Senate Committee on Appropriations
 June 23, 1977—Measure passed House, amended, rollcall No. 375 (208-174)
 June 23, 1977—Motion to recommit to the Committee on Appropriations rejected in House
 June 23, 1977—Measure considered in House
 June 22, 1977—Measure considered in House
 June 22, 1977—Measure called up by unanimous consent in House
 June 15, 1977—Reported to House from the Committee on Appropriations, H. Rept. 95-417

*Short Title(s) as Introduced***ERDA Authorization Act-Military Applications**

Factual Description.—Authorizes appropriations to the Energy Research and Development Administration for fiscal year 1978 for programs related to national defense. Authorizes additional appropriations to the Administration for fiscal year 1979 and thereafter.

CHRONOLOGY

November 15, 1977—Public Law 95-183
 November 4, 1977—Measure presented to President
 November 3, 1977—Measure enrolled in Senate
 November 3, 1977—Measure enrolled in House
 November 3, 1977—Senate agreed to conference report
 November 2, 1977—House agreed to conference report, rollcall No. 732 (336-69)
 October 28, 1977—Conference report filed in House, H. Rept. 95-775
 October 12, 1977—Conference scheduled in House
 October 6, 1977—Conference scheduled in Senate
 September 29, 1977—Measure passed House, amended, in lieu of H.R. 6566
 September 29, 1977—Measure considered in House
 September 29, 1977—Measure called up by unanimous consent in House
 May 23, 1977—Measure passed Senate, amended
 May 23, 1977—Measure considered in Senate
 May 23, 1977—Measure called up by unanimous consent in Senate
 May 16, 1977—Reported to Senate from the Committee on Armed Services with amendment, S. Rept. 95-212

H.R. 8701—PUBLIC LAW 95-202*Short Title (s) as Introduced***GI Bill Improvements Act**

Factual Description.—Increases the rates of specified veterans' educational assistance allowances, makes exceptions to the "85-15" and the two-year minimum period of course operation rules, and lowers the disability rating necessary to qualify a disabled veteran for employment and training assistance.

Requires the VA to conduct a study to determine the most effective methods of using VA programs in order to aid and encourage present and prospective veteran homeowners to install solar heating, solar heating and cooling, or combined systems, and to apply residential energy conservation measures. The report (Senate Committee Print no. 19) was issued April 28, 1978.

CHRONOLOGY

November 23, 1977—Public Law 95-202
 November 15, 1977—Measure presented to President
 November 15, 1977—Measure enrolled in Senate
 November 15, 1977—Measure enrolled in House
 November 4, 1977—Senate agreed to House amendment
 November 3, 1977—House agreed to Senate amendment with an amendment
 October 19, 1977—Measure passed Senate, amended, in lieu of S. 457. rollcall No. 570 (91-0)
 October 19, 1977—Measure considered in Senate
 October 19, 1977—Measure called up by unanimous consent in Senate
 September 12, 1977—Measure passed House, rollcall No. 538 (397-0)
 September 12, 1977—Measure considered in House
 September 12, 1977—Measure called up under motion to suspend rules and pass in House
 August 5, 1977—Reported to House from the Committee on Veterans' Affairs, H. Rept. 95-586

S. 1131—PUBLIC LAW 95-209

Factual Description. Authorizes appropriations for fiscal years 1978 and 1979 to the Nuclear Regulatory Commission for salaries and expenses.

Authorizes appropriations for intervenors to specified proceedings before the Commission.

CHRONOLOGY

December 13, 1977—Public Law 95-209
 December 2, 1977—Measure presented to President
 December 1, 1977—Measure enrolled in Senate
 November 29, 1977—Measure enrolled in House
 November 29, 1977—Senate agreed to conference report
 November 3, 1977—House agreed to conference report
 November 1, 1977—Conference report filed in House, H. Rept. 95-788
 October 31, 1977—Conference scheduled in House
 October 28, 1977—Conference scheduled in Senate
 September 12, 1977—Measure passed House, amended, in lieu of H.R. 3455
 September 12, 1977—Measure considered in House
 September 12, 1977—Measure called up by unanimous consent in House
 May 25, 1977—Measure passed Senate, amended
 May 25, 1977—Measure considered in Senate
 May 25, 1977—Measure called up by unanimous consent in Senate
 May 16, 1977—Reported to Senate from the Committee on Environment and Public Works with amendment, S. Rept. 95-196

S. 266—PUBLIC LAW 95-236

Factual Description.—Authorizes appropriations to the Energy Research and Development Administration for fiscal year 1977 for nuclear and environmental research programs.

Imposes restrictions on sales of nuclear fuel without Congressional approval. Revises procedures for contracting for uranium enrichment services by the Federal Government.

CHRONOLOGY

February 21, 1978—Public Law 95-236
 February 10, 1978—Measure presented to President
 February 10, 1978—Measure enrolled in Senate
 February 9, 1978—Measure enrolled in House
 February 7, 1978—Senate agreed to House amendments
 January 24, 1978—Measure passed House, amended
 January 24, 1978—Measure considered in House
 January 24, 1978—Measure called up under motion to suspend rules and pass in House
 October 17, 1977—Reported to House from the Committee on Interstate and Foreign Commerce with amendment, H. Rept. 95-649 (Part II)
 September 29, 1977—Reported to House from the Committee on Interstate and Foreign Commerce with amendment, H. Rept. 96-649 (Part I)
 April 5, 1977—Referred jointly to House Committees on Interior and Insular Affairs; and Interstate and Foreign Commerce
 April 4, 1977—Measure passed Senate, amended
 April 4, 1977—Measure considered in Senate
 April 4, 1977—Measure called up by unanimous consent in Senate
 March 31, 1977—Placed on calendar in Senate under Measures Cleared to be Considered by Unanimous Consent
 March 29, 1977—Reported to Senate from the Committee on Energy and Natural Resources with amendment, S. Rept. 95-72
 February 21, 1977—Rerferred to Senate Committee on Energy and Natural Resources (Formerly: Atomic Energy)

S. 1340—PUBLIC LAW 95-238

Short Title(s) as Amended by the Senate

ERDA Authorization Act of 1978—Civilian Applications

Factual Description.—Authorizes appropriations to the Energy Research and Development Administration for fiscal year 1978 for energy research and development programs. Authorizes additional appropriations to the Administration for fiscal year 1979 and thereafter.

CHRONOLOGY

February 25, 1978—Public Law 95-238
 February 14, 1978—Measure presented to President
 February 14, 1978—Measure enrolled in Senate

February 14, 1978—Measure enrolled in House
 February 8, 1978—Senate agreed to House amendments
 December 7, 1977—Measure passed House, amended (inserted certain conference provisions of S. 1811)
 December 7, 1977—Measure considered in House
 December 7, 1977—Measure called up by special rule in House
 July 12, 1977—Provisions inserted in S. 1811 as passed Senate
 June 13, 1977—Measure passed Senate, amended, rollcall No. 195 (79-1)
 June 13, 1977—Measure considered in Senate
 June 10, 1977—Measure considered in Senate
 June 10, 1977—Measure called up by unanimous consent in Senate
 May 16, 1977—Reported to Senate from the Committee on Energy and Natural Resources with amendment, S. Rept. 95-179

H.R. 9375—PUBLIC LAW 95-240

Factual Description.—Makes supplemental appropriations for fiscal year 1978 to the Department of Agriculture, the Environmental Protection Agency, the Veterans' Administration, the Department of Interior, the Federal Energy Administration, the Department of Labor, the Department of Health, Education, and Welfare, the Energy Research and Development Administration, the Department of Justice, the Department of Commerce, the Small Business Administration, and the Department of Defense.

CHRONOLOGY

March 7, 1978—Public Law 95-240
 February 24, 1978—Measure presented to President
 February 23, 1978—Measure enrolled in Senate
 February 23, 1978—Measure enrolled in House
 February 22, 1978—House concurred in certain Senate amendment, rollcall No. 72 (234-182)
 February 22, 1978—House receded in certain Senate amendment, division vote (126-110)
 February 22, 1978—Motion to table motion to recede and concur in Senate amendment rejected in House, rollcall No. 71 (172-244)
 February 1, 1978—Conference scheduled in Senate (Third Conference)
 February 1, 1978—Motion to further insist on certain amendment passed Senate, rollcall No. 26 (58-37)
 February 1, 1978—Motion to recede from certain amendment tabled in Senate, rollcall No. 25 (57-38)
 December 7, 1977—Senate agreed to House amendments to certain Senate amendments
 December 7, 1977—Senate agreed to conference report (Second Conference)
 December 6, 1977—Motion that House insist on its disagreement to certain Senate amendments rejected in House, rollcall No. 765 (166-191)
 December 6, 1977—House receded and concurred in certain Senate amendments with an amendment
 December 6, 1977—Motion to recede and concur in certain Senate amendments passed House, rollcall No. 764 (182-181)
 December 6, 1977—House agreed to conference report (Second Conference)
 December 1, 1977—Conference report filed in House, H. Rept. 95-829 (Second Conference)
 November 30, 1977—Motion to recommit conference report to the Comm. of Conf. with instructions passed House, rollcall No. 755 (258-138)
 November 8, 1977—Conference report filed in House, H. Rept. 95-812
 November 1, 1977—Conference scheduled in Senate
 November 1, 1977—Conference scheduled in House
 November 1, 1977—Measure passed Senate, amended, rollcall No. 607 (90-0)
 October 26, 1977—Referred to Senate Committee on Appropriations
 October 25, 1977—Measure passed House, amended, rollcall No. 693 (313-98)
 September 28, 1977—Reported to House from the Committee on Appropriations, H. Rept. 95-644

H.R. 8638—PUBLIC LAW 95-242

Short Title(s) as Introduced

Nuclear Non-Proliferation Act

Factual Description.—Sets forth United States policy on (1) non-proliferation of nuclear weapons, and (2) strengthening the International Atomic Energy Agency and its safeguards system. Establishes a nuclear safeguards training program. Directs the Energy Research and Development Administration to expand the uranium enrichment capacity of the United States. Requires agreements for non-military nuclear cooperation to include certain non-proliferation and nuclear safeguard provisions. Restricts the amount of nuclear material which may be distributed by ERDA. Revises the criteria and procedures for nuclear export licensing by the Nuclear Regulatory Commission. Requires annual review of governmental non-proliferation activities.

CHRONOLOGY

March 10, 1978—Public Law 95-242
 February 28, 1978—Measure presented to President
 February 28, 1978—Measure enrolled in Senate
 February 28, 1978—Measure enrolled in House
 February 9, 1978—House agreed to Senate amendment
 February 7, 1978—Conference scheduled in Senate
 February 7, 1978—Measure passed Senate, amended, in lieu of S. 897, rollcall No. 30 (88-3)
 February 7, 1978—Measure considered in Senate
 February 7, 1978—Measure called up by unanimous consent in Senate
 February 6, 1978—Placed on calendar in Senate
 February 6, 1978—Committee on Foreign Relations discharged in Senate
 September 28, 1977—Measure passed House, amended, rollcall No. 605 (411-0)
 September 28, 1977—Measure considered in House
 September 22, 1977—Measure considered in House
 September 22, 1977—Measure called up by special rule in House
 August 5, 1977—Reported to House from the Committee on International Relations, H. Rept. 95-587

H.J. RES. 715—PUBLIC LAW 95-253

Official Title as Introduced

A resolution proclaiming May 3, 1978, “Sun Day”.

Factual Description.—Designates May 3, 1978, as “Sun Day.”

CHRONOLOGY

March 27, 1978—Public Law 95-253
 March 16, 1978—Measure presented to President
 March 16, 1978—Measure enrolled in Senate
 March 16, 1978—Measure enrolled in House
 March 14, 1978—Measure passed Senate
 March 14, 1978—Measure considered in Senate
 March 14, 1978—Call of calendar in Senate
 March 9, 1978—Reported to Senate from the Committee on the Judiciary, S. Rept. 95-686
 March 7, 1978—Referred to Senate Committee on the Judiciary
 March 6, 1978—Measure passed House, rollcall No. 105 (348-7)
 March 6, 1978—Measure considered in House
 March 6, 1978—Measure called up under motion to suspend rules and pass in House
 March 3, 1978—Reported to House from the Committee on Post Office and Civil Service, H. Rept. 95-919

*Short Title(s) as Introduced***Petroleum Marketing Practices Act**

Factual Description.—Prohibits franchisors from prematurely cancelling or failing to renew motor fuel franchises unless written notification is provided and the franchisee has failed to comply with reasonable terms of the agreement.

Specifies that refiners may not increase the percentage of gasoline distributed through refiner operated retail outlets for a two-year period. Directs the Federal Trade Commission (FTC) to report to Congress on methods to promote competition in the marketing of gasoline.

Requires the FTC to prescribe rules for determining octane ratings of gasoline and to display requirements for such ratings.

Prohibits specified unfair practices in the marketing of automotive gasoline.

CHRONOLOGY

June 19, 1978—Public Law 95-297
 June 8, 1978—Measure presented to President
 June 8, 1978—Measure enrolled in Senate
 June 7, 1978—Measure enrolled in House
 June 6, 1978—House agreed to Senate amendment
 May 9, 1978—Measure passed Senate, amended, rollcall No. 159 (95-0)
 May 9, 1978—Measure considered in Senate
 May 5, 1978—Measure considered in Senate
 May 5, 1978—Measure called up by unanimous consent in Senate
 April 10, 1978—Reported to Senate from the Committee on Energy and Natural Resources with amendment, S. Rept. 95-731
 April 7, 1977—Referred to Senate Committee on Energy and Natural Resources
 April 5, 1977—Measure passed House, amended, rollcall No. 127 (404-3)
 April 5, 1977—Measure considered in House
 April 5, 1977—Measure called up under motion to suspend rules and pass in House
 April 5, 1977—Reported to House from the Committee on Interstate and Foreign Commerce with amendment, H. Rept. 95-161

H.R. 11713—PUBLIC LAW 95-315

Short Title(s) as Passed

Solar Cells; Hydroelectric Plants; Biomass Energy; Waste Products; Wind Power

Factual Description.—Amends the Small Business Act to provide assistance to individuals and small business concerns for the acquisition, development and maintenance of solar energy equipment or other renewable energy source equipment.

CHRONOLOGY

July 4, 1978—Public Law 95-315
 June 23, 1978—Measure presented to President
 June 22, 1978—Measure enrolled in Senate
 June 21, 1978—Measure enrolled in House
 June 19, 1978—Senate agreed to House amendment to Senate amendment
 June 16, 1978—House agreed to Senate amendments with amendments
 May 24, 1978—Measure passed Senate, amended
 May 24, 1978—Measure considered in Senate
 May 24, 1978—Call of calendar in Senate
 May 15, 1978—Reported to Senate from the Select Committee on Small Business with amendment, S. Rept. 95-828
 May 3, 1978—Referred to Senate Select Committee on Small Business
 May 2, 1978—Measure passed House, amended, rollcall No. 269 (375-17)
 May 2, 1978—Measure considered in House
 May 2, 1978—Measure called up under motion to suspend rules and pass in House
 April 19, 1978—Reported to House from the Committee on Small Business with amendment, H. Rept. 95-1071

Short Title(s) as Introduced

Second Supplemental Appropriations Act

Factual Description.—Makes supplemental appropriations for fiscal year 1978 to the Department of Agriculture, the Department of Defense, the Department of Housing and Urban Development, the Department of the Interior, the Department of Energy, the Department of Health, Education, and Welfare, the Department of Labor, the Department of Commerce, the Department of the Treasury, the Department of Transportation, the Legislative, Judicial and Executive Branches, and specified agencies.

Increases the amount to be appropriated for increased pay costs authorized by Law for fiscal year 1978.

CHRONOLOGY

September 8, 1978—Public Law 95-355
 September 6, 1978—Measure presented to President
 September 6, 1978—Measure enrolled in Senate
 September 6, 1978—Measure enrolled in House
 August 25, 1978—Senate receded from certain amendments
 August 25, 1978—Senate agreed to House amendments to certain Senate amendments
 August 25, 1978—Senate agreed to conference report, rollcall No. 368 (61-11)
 August 17, 1978—House insisted on its disagreement to certain Senate amendments
 August 17, 1978—Motion to recede from its disagreement and concur in certain Senate amendment rejected in House, rollcall No. 716 (133-245)
 August 17, 1978—House receded and concurred in certain Senate amendment with an amendment
 August 17, 1978—House receded and concurred in certain Senate amendments
 August 17, 1978—House agreed to conference report, rollcall No. 715 (198-191)
 August 17, 1978—Motion to recommit to the Committee on conference report rejected in House
 August 10, 1978—Conference Report filed in House, H. Rept. 95-1475
 August 9, 1978—Conference scheduled in House
 August 7, 1978—Conference scheduled in Senate
 August 7, 1978—Measure passed Senate, amended, rollcall No. 288 (69-17)
 August 7, 1978—Measure considered in Senate
 August 4, 1978—Measure considered in Senate
 August 4, 1978—Call of calendar in Senate
 August 1, 1978—Reported to Senate from the Committee on Appropriations with amendment, S. Rept. 95-1061
 July 24, 1978—Referred to Senate Committee on Appropriations
 July 20, 1978—Measure passed House, amended, rollcall No. 580 (311-60)
 July 20, 1978—Measure considered in House
 July 20, 1978—Measure called up by unanimous consent in House
 July 13, 1978—Reported to House from the Committee on Appropriations, H. Rept. 95-1350

H.R. 12602—PUBLIC LAW 95-356

Short Title(s) as Introduced

Military Construction Authorization Act

Factual Description.—Authorizes the Secretaries of Defense, the Army, Navy, and Air Force to establish or develop military installations and facilities at specified locations. Authorizes appropriations for each such location. Authorizes the Secretary of Defense to construct or acquire military family housing in specified numbers at specified locations. Authorizes appropriations for such purpose.

CHRONOLOGY

September 8, 1978—Public Law 95-356
 September 6, 1978—Measure presented to President
 September 6, 1978—Measure enrolled in Senate
 September 6, 1978—Measure enrolled in House

August 17, 1978—Senate agreed to conference report
 August 16, 1978—House agreed to conference report
 August 7, 1978—Conference report filed in House, H. Rept. 95-1448
 July 17, 1978—Conference scheduled in House
 July 12, 1978—Conference scheduled in Senate
 July 12, 1978—Measure passed Senate, amended, in lieu of S. 3079
 July 12, 1978—Measure considered in Senate
 July 12, 1978—Call of calendar in Senate
 May 23, 1978—Placed on calendar in Senate
 May 22, 1978—Measure passed House, amended, rollcall No. 350 (363-18)
 May 22, 1978—Measure considered in House
 May 22, 1978—Measure called up by special rule in House
 May 12, 1978—Reported to House from the Committee on Armed Services, H. Rept. 95-1147

S. 9—PUBLIC LAW 95-372

Short Title(s) as Amended by the Senate

Outer Continental Shelf Lands Act Amendments

Factual Description.—Amends the Outer Continental Shelf Lands Act to establish a policy of increased development of oil and gas resources on the Outer Continental Shelf while ameliorating any adverse impacts of such development.

Revises procedures for bidding, leasing, and exploration of Outer Continental Shelf lands. Requires consultation by the Secretary of the Interior with affected coastal States and regional advisory boards established pursuant to this Act.

Establishes an offshore Oil Pollution Compensation Fund to ameliorate the effects of discharges of oil from offshore facilities and vessels. Details procedures for assessment of liability for oil spill damages and removal costs.

CHRONOLOGY

September 18, 1977—Public Law 95-372
 September 6, 1978—Measure presented to President
 September 6, 1978—Measure enrolled in Senate
 September 6, 1978—Measure enrolled in House
 August 22, 1978—Senate agreed to conference report, rollcall No. 351 (82-7)
 August 17, 1978—House agreed to conference report, rollcall No. 720 (338-18)
 August 10, 1978—Conference report filed in Senate, S. Rept. 95-1091
 August 10, 1978—Conference report filed in House, H. Rept. 95-1474
 March 21, 1978—Conference scheduled in House
 March 17, 1978—Conference scheduled in Senate
 February 2, 1978—Measure passed House, amended, in lieu of
 February 2, 1978—H.R. 1614
 February 2, 1978—Measure considered in House
 July 15, 1977—Measure called up by special rule in House Measure passed Senate, amended, rollcall No. 293 (60-18)
 August 15, 1977—Measure considered in Senate
 July 14, 1977—Measure considered in Senate
 July 14, 1977—Measure called up by unanimous consent in Senate
 June 21, 1977—Reported to Senate from the Committee on Energy and Natural Resources with amendment. S. Rept. 95-284

H.R. 12222—PUBLIC LAW 95-424

Short Title(s) as Introduced

International Development and Food Assistance Act

Factual Description.—Authorizes appropriations for development assistance and economic stability under the Foreign Assistance Act of 1961 for fiscal year 1979. Repeals the authority for security supporting assistance programs under such Act. Revises the annual reporting requirements under such Act. Terminates specified programs and funding limitations of such Act.

Mandates the establishment of an International Development Coordination Administration to supersede the Agency for International Development and to coordinate international development activities. Authorizes U.S. assistance for

cooperative programs with developing countries in the utilization of renewable energy resources, including solar energy. The Act further provides that in issuing guaranties for housing projects in less-developed countries, preference be given to projects using solar energy where feasible.

CHRONOLOGY

October 6, 1978—Public Law 95-424
 September 26, 1978—Measure presented to President
 September 26, 1978—Measure enrolled in Senate
 September 25, 1978—Measure enrolled in House
 September 20, 1978—Senate agreed to conference report
 September 19, 1978—House agreed to conference report, rollcall No. 800 (232-159)
 September 7, 1978—Conference report filed in House, H. Rept. 95-1545
 June 28, 1978—Conference scheduled in House
 June 26, 1978—Conference scheduled in Senate
 June 26, 1978—Measure passed Senate, amended, in lieu of S. 3074, rollcall No. 177 (49-30)
 June 25, 1978—Measure considered in Senate
 June 26, 1978—Measure called up by committee discharge in Senate
 May 17, 1978—Referred to Senate Committee on Foreign Relations
 May 15, 1978—Measure passed House, amended, rollcall No. 13 (225-148)
 May 15, 1978—Motion to recommit to the Committee on International Relations rejected in House
 May 15, 1978—Measure considered in House
 May 12, 1978—Measure considered in House
 May 11, 1978—Measure considered in House
 May 11, 1978—Measure called up by special rule in House
 April 25, 1978—Reported to House from the Committee on International Relations, H. Rept. 95-1087

H.R. 12598—PUBLIC LAW 95-426

Short Title(s) as Introduced

Foreign Relations Authorization Act; Miscellaneous Revenue Act; Institute for International Human Rights Act

Factual Description.—Authorizes appropriations to the Department of State for fiscal year 1979 to conduct the foreign affairs of the United States.

Requires the Secretary of State to demonstrate solar energy technology in foreign Service buildings located abroad.

Establishes an Assistant Secretary of State for International Narcotics Matters.

Authorizes appropriations for fiscal year 1979 to: (1) the International Communication Agency; and (2) the Board for International Broadcasting.

Sets forth responsibilities for the President and Secretary of State to develop science as a diplomatic aid.

Establishes: (1) the Commission on Proposals for a Center of Conflict Resolution; and (2) the Institute for International Human Rights.

CHRONOLOGY

October 7, 1978—Public Law 95-426
 September 26, 1978—Measure presented to President
 September 26, 1978—Measure enrolled in Senate
 September 25, 1978—Measure enrolled in House
 September 20, 1978—Senate agreed to conference report
 September 19, 1978—House agreed to conference report, rollcall No. 799 (240-153)
 September 6, 1978—Conference report filed in House, H. Rept. 95-1535
 July 10, 1978—Conference scheduled in House
 June 28, 1978—Conference scheduled in Senate
 June 28, 1978—Measure passed Senate, amended, in lieu of S. 3076, rollcall No. 192 (64-17)
 June 28, 1978—Measure considered in Senate
 June 28, 1978—Measure called up by committee discharge in Senate
 June 5, 1978—Referred to Senate Committee on Foreign Relations
 May 31, 1978—Measure passed House, amended, rollcall No. 390 (240-124)

May 31, 1978—Motion to recommit to the Committee on International Relations rejected in House
 May 31, 1978—Measure considered in House
 May 31, 1978—Measure called up by special rule in House
 May 15, 1978—Reported to House from the Committee on International Relations with amendment, H. Rept. 95-1160

H.R. 12932—PUBLIC LAW 95-465

Factual Description.—Makes appropriations for fiscal year 1979 to the Department of the Interior, Department of Agriculture, Department of Energy, Department of Health, Education, and Welfare, and related agencies.

CHRONOLOGY

October 17, 1978—Public Law 95-465
 October 11, 1978—Measure presented to President
 October 11, 1978—Measure enrolled in Senate
 October 11, 1978—Measure enrolled in House
 October 7, 1978—Senate agreed to House amendments to certain Senate amendments
 October 7, 1978—Senate agreed to conference report, rollecall No. 460 (79-5)
 October 5, 1978—House receded and concurred in certain Senate amendments with an amendment
 October 5, 1978—House receded and concurred in certain Senate amendments
 October 5, 1978—House agreed to conference report, rollecall No. 875 (382-12)
 September 29, 1978—Conference report filed in House, H. Rept. 95-1672
 August 10, 1978—Conference scheduled in House
 August 9, 1978—Conference scheduled in Senate
 August 9, 1978—Measure passed Senate, amended, rollecall No. 304 (85-5)
 August 9, 1978—Measure considered in Senate
 August 8, 1978—Measure considered in Senate
 August 8, 1978—Measure called up by unanimous consent in Senate
 August 2, 1978—Reported to Senate from the Committee on Appropriations with amendment, S. Rept. 95-1063
 June 22, 1978—Referred to Senate Committee on Appropriations
 June 21, 1978—Measure passed House, amended, rollecall No. 478 (356-50)
 June 21, 1978—Measure considered in House
 June 21, 1978—Measure called up by unanimous consent in House
 June 1, 1978—Reported to House from the Committee on Appropriations, H. Rept. 95-1251

S. 682—PUBLIC LAW 95-474

Short Title(s) as Passed
 Port and Tanker Safety Act

Factual Description.—Amends the Ports and Waterways Safety Act of 1972 to establish regulations relating to navigation and vessel safety, and marine environmental protection. Establishes a 200 mile maritime safety zone around the United States. Requires periodic inspection of vessel subject to such Act.

Amends the Merchant Marine Act, 1936, to require that a specified percentage of oil imported into the United States be carried on privately owned United States-flag commercial vessels.

CHRONOLOGY

October 17, 1978—Public Law 95-474
 October 6, 1978—Measure presented to President
 October 6, 1978—Measure enrolled in Senate
 October 5, 1978—Measure enrolled in House
 October 3, 1978—House agreed to Senate amendment
 September 30, 1978—Senate agreed to House amendments with an amendment
 September 12, 1978—Measure passed House, amended, in lieu of H.R. 13311
 September 12, 1978—Measure considered in House
 September 12, 1978—Measure called up by committee discharge in House
 June 1, 1977—Referred jointly to House Committees on Merchant Marine and Fisheries; and International Relations
 May 27, 1977—Measure reconsidered and repassed Senate with amendment

May 26, 1977—Measure passed Senate, amended
 May 26, 1977—Measure considered in Senate
 May 25, 1977—Measure considered in Senate
 May 25, 1977—Measure called up by unanimous consent in Senate
 May 16, 1977—Reported to Senate from the Committee on Commerce, Science, and Transportation with amendment, S. Rept. 95-176

H.R. 12028—PUBLIC LAW 95-476

Short Title(s) as amended by the Senate

Veterans Housing Benefits Improvement Act

Factual Description.—Increases the maximum assistance available for specially adapted housing for certain disabled veterans from \$25,000 to \$30,000.

Entitles Vietnam era veterans to eligibility for home, condominium, and mobile home loans, and for automatic 60 percent guaranteed home loans.

Increases the amount of a home loan which may be guaranteed by the Veterans' Administration from \$17,000 to \$25,000.

Revises certain veterans' mobile home and mobile home lot loan provisions.

“Gives the VA authority to guarantee home improvement loans for active/passive solar space conditioning and hot water systems.”

CHRONOLOGY

October 18, 1978—Public Law 95-476
 October 6, 1978—Measure presented to President
 October 6, 1978—Measure enrolled in Senate
 October 5, 1978—Measure enrolled in House
 October 2, 1978—Senate agreed to House amendments
 September 28, 1978—House agreed to Senate amendments with amendments
 August 7, 1978—Measure passed Senate, amended
 August 7, 1978—Measure considered in Senate
 August 7, 1978—Measure called up by unanimous consent in Senate
 July 31, 1978—Reported to Senate from the Committee on Veterans' Affairs with amendment, S. Rept. 95-1055
 July 19, 1978—Referred to Senate Committee on Veterans' Affairs
 July 17, 1978—Measure passed House, amended, rollcall No. 547 (373-0)
 July 17, 1978—Measure considered in House
 July 17, 1978—Measure called up under motion to suspend rules and pass in House
 June 29, 1978—Reported to House from the Committee on Veterans' Affairs with amendment, H. Rept. 95-1332

H.J. RES. 1139—PUBLIC LAW 95-482

Factual Description.—Authorizes appropriations, as necessary, for certain ongoing projects on activities for fiscal year 1979, in the Departments of Labor; Health, Education, and Welfare; and Defense Appropriations Acts.

CHRONOLOGY

October 18, 1978—Public Law 95-482
 October 17, 1978—Measure presented to President
 October 14, 1978—Measure enrolled in Senate
 October 14, 1978—Measure enrolled in House
 October 14, 1978—House agreed to Senate amendments
 October 14, 1978—Measure passed Senate, amended
 October 14, 1978—Measure considered in Senate
 October 14, 1978—Call of calendar in Senate
 October 11, 1978—Reported to Senate from the Committee on Appropriations with amendment, S. Rept. 95-1318
 September 28, 1978—Referred to Senate Committee on Appropriations
 September 26, 1978—Measure passed House, amended, rollcall No. 838 (349-30)
 September 26, 1978—Measure considered in House
 September 26, 1978—Measure called up by unanimous consent in House
 September 21, 1978—Reported to House from the Committee on Appropriations with amendment, H. Rept. 95-1599

H.R. 11686—PUBLIC LAW 95-509

Short Title(s) as Introduced

Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act

Factual Description.—Authorizes the appropriation of funds for specified general and national security programs within the Department of Energy.

CHRONOLOGY

October 24, 1978—Public Law 95-509
 October 14, 1978—Measure presented to President
 October 13, 1978—Measure enrolled in Senate
 October 13, 1978—Measure enrolled in House
 October 11, 1978—House agreed to Senate amendment
 September 30, 1978—Measure passed Senate, amended, in lieu of S. 2693, rolcall No. 433 (68-1)
 September 30, 1978—Measure considered in Senate
 September 30, 1978—Measure called up by committee discharge in Senate
 May 22, 1978—Referred to Senate Committee on Armed Services
 May 17, 1978—Measure passed House, rolcall No. 326 (348-46)
 May 17, 1978—Measure considered in House
 May 16, 1978—Measure considered in House
 May 16, 1978—Measure called up by special rule in House
 May 3, 1978—Reported to House from the Committee on Armed Services, H. Rept. 95-1108

H.R. 13597—PUBLIC LAW 95-577

Official Title as Introduced

A bill to authorize the Architect of the Capitol to install solar collectors for furnishing a portion of the energy needs of the Rayburn House Office Building and House Office Building Annex No. 2, and for other purposes

Factual Description.—Directs the Architect of the Capitol to install solar energy devices in the Rayburn House Office Building and the House Annex Numbered 2.

CHRONOLOGY

November 2, 1978—Public Law 95-577
 October 24, 1978—Measure presented to President
 October 15, 1978—Measure enrolled in Senate
 October 15, 1978—Measure enrolled in House
 October 14, 1978—Measure passed Senate
 October 14, 1978—Measure considered in Senate
 October 14, 1978—Measure called up by Committee discharge in Senate
 September 27, 1978—Referred to Senate Committee on Environment and Public works
 September 25, 1978—Measure passed House, amended, rolcall No. 829 (332-48)
 September 25, 1978—Measure considered in House
 September 25, 1978—Measure called up under motion to suspend rules and pass in House
 August 17, 1978—Reported to House from the Committee on Public Works and Transportation with amendment, H. Rept. 95-1513

H.R. 12874—PUBLIC LAW 95-590

Short Title(s) as Introduced

Solar Photovoltaic Energy Research, Development and Demonstration Act

Factual Description.—Requires the Secretary of Energy to develop research development, and demonstration programs concerning the use of solar photovoltaic energy systems.

CHRONOLOGY

November 4, 1978—Public Law 95-590
 October 13, 1978—House agreed to Senate amendments
 October 10, 1978—Measure passed Senate, amended, in lieu of S. 3392
 October 10, 1978—Measure considered in Senate
 October 10, 1978—Measure called up by committee discharge in Senate
 June 29, 1978—Referred to Senate Committee on Commerce, Science, and Transportation
 June 28, 1978—Measure passed House, amended, rollcall No. 510 (385-14)
 June 28, 1978—Measure considered in House
 June 28, 1978—Measure called up under motion to suspend rules and pass in House
 June 9, 1978—Reported to House from the Committee on Science and Technology with amendment, H. Rept. 95-1285

H.R. 11733—PUBLIC LAW 95-599

Short Title(s) as Amended by the Senate

Highway Revenue Act; Federal Public Transportation Act

Factual Description.—Authorizes appropriations for Federal-aid highway programs, highway safety projects, and mass transportation projects. Authorizes the Secretary of Transportation to make Federal financial assistance available for State projects for highway bridge replacement, interstate highway resurfacing, traffic control signalization and urban bikeways. Authorizes the Secretary to carry out specified transportation demonstration projects.

Amends the Urban Mass Transportation Act to revise Federal financial assistance programs under such Act.

CHRONOLOGY

November 6, 1978—Public Law 95-599
 October 14, 1978—Senate agreed to conference report
 October 14, 1978—House agreed to conference report
 October 14, 1978—Conference report filed in House, H. Rept. 95-1797
 October 4, 1978—Conference scheduled in House
 October 3, 1978—Conference scheduled in Senate
 October 3, 1978—Measure passed Senate, amended, in lieu of S. 3073
 October 3, 1978—Measure considered in Senate
 October 3, 1978—Measure called up by unanimous consent in Senate
 September 28, 1978—Measure passed House, amended, rollcall No. 849 (367-28)
 September 28, 1978—Motion to recommit to the committee on Public Works and Transportation rejected in House
 September 28, 1978—Measure considered in House
 September 27, 1978—Measure considered in House
 September 22, 1978—Measure considered in House
 September 21, 1978—Measure considered in House
 September 15, 1978—Measure considered in House
 September 15, 1978—Measure called up by special rule in House
 August 11, 1978—Reported to House from the Committee on Public Works and Transportation with amendment, H. Rept. 95-1485

S. 2584—PUBLIC LAW 95-601

Factual Description.—Authorizes appropriations for the Nuclear Regulatory Commission for fiscal years 1979 and 1980.

CHRONOLOGY

November 6, 1978—Public Law 95-601
 October 14, 1978—Senate agreed to conference report
 October 14, 1978—House agreed to conference report
 October 14, 1978—Conference report filed in House, H. Report 95-1796
 October 13, 1978—Conference scheduled in House
 October 10, 1978—Conference scheduled in Senate

October 4, 1978—Measure passed House, amended, in lieu of H.R. 12355
 October 4, 1978—Measure considered in House
 October 4, 1978—Measure called up by unanimous consent in House
 September 18, 1978—Measure passed Senate, amended
 September 18, 1978—Measure considered in Senate
 September 18, 1978—Call of calendar in Senate
 May 15, 1978—Reported to Senate from the Committee on Environment and Public Works with amendment, S. Rept. 95-848

H.R. 13650—PUBLIC LAW 95-604

Short Title(s) as Amended by the House

Uranium Mill Tailings Radiation Control Act

Factual Description.—Authorizes and directs the Secretary of Energy to enter into cooperative agreements with designated States and Indian Tribes to pay a certain percentage of the costs of: (1) assessing the radiation levels of residual radioactive materials from former uranium ore processing sites; and (2) limiting exposure of individuals to such radioactive materials.

Amends the Atomic Energy Act of 1954 to authorize the licensing and regulation of uranium mill tailings.

CHRONOLOGY

November 8, 1978—Public Law 95-604
 October 27, 1978—Measure presented to President
 October 15, 1978—Measure enrolled in Senate
 October 15, 1978—Measure enrolled in House
 October 14, 1978—Senate agreed to House amendments
 October 14, 1978—House agreed to Senate amendment with amendments
 October 13, 1978—Measure passed Senate, amended
 October 13, 1978—Measure considered in Senate
 October 13, 1978—Measure called up by unanimous consent in Senate
 October 3, 1978—Measure passed House, amended, division vote (13-0)
 October 3, 1978—Measure considered in House
 October 3, 1978—Measure called up under motion to suspend rules and pass in House
 September 30, 1978—Reported to House from the Committee on Interior and Insular Affairs with amendment, H. Rept. 95-1480 (Part II)
 August 11, 1978—Reported to House from the Committee on Interior and Insular Affairs with amendment, H. Rept. 95-1480 (Pt. I)

H.R. 4018, S. 2114, S. 1469, H.R. 8444, and H.R. 6831—PUBLIC LAW 95-617

Short Title as Enacted

Public Utilities Regulatory Policies Act

Factual Description.—Requires state public utility commissions to “consider” rate reforms to encourage conservation by ultimate user, maximize efficient use of facilities and scarce energy resources, and encourage equitable rate structure. Requires the Secretary of Energy to annually review state actions and make recommendations to Congress and the President. Authorizes loans for small hydroelectric facilities at existing dams, and includes provisions to encourage cogeneration and low-scale electricity production from renewable sources.

November 9, 1978—Enacted into Public Law as P.L. 95-617

CONFERENCE ACTION (H.R. 4018)

October 14, 1978—House agreed to conference report, rollecall No. 932 (231-168)
 October 10, 1978—Conference report filed in House, H. Rept. 95-1750
 October 9, 1978—Senate agreed to conference report, rollecall No. 466 (76-13)
 October 7, 1978—Conference report considered in Senate
 October 6, 1978—Conference report filed in Senate, S. Rept. 95-1292
 October 13, 1977—Conference scheduled in Senate
 October 13, 1977—Conference scheduled in House

INITIAL SENATE ACTION

October 6, 1977—H.R. 4018 passed Senate amended, inserted provisions of S. 2114, amended, and certain provisions of H.R. 8444, rollcall No. 533 (86-7)
 October 5-6, 1977—S. 2114 considered in Senate
 October 5, 1977—S. 2114 called up by unanimous consent in Senate
 September 20, 1977—S. 2114 placed on calendar in Senate
 September 20, 1977—Reported to Senate from the Committee on Energy and Natural Resources, S. Rept. 95-442, as S. 2114, the Public Utilities Regulatory Policy Act
 May 5, 1977—Introduced in the Senate as S. 1469; provisions relating to utility rate design policies referred to the Committee on Energy and Natural Resources

INITIAL HOUSE ACTION

September 13, 1977—House agreed to Senate amendment to H.R. 4018 with an amendment
 September 6, 1977—Certain provisions of H.R. 8444 inserted in H.R. 4018, as passed Senate, by the Senate
 August 5, 1977—H.R. 8444 passed House, amended, rollcall No. 513 (244-177)
 August 5, 1977—Motion to recommit to the Ad Hoc Committee on Energy with instructions rejected in House, rollcall No. 512 (203-219)
 August 1-5, 1977—H.R. 8444 considered in House
 August 1, 1977—H.R. 8444 called up by special rule in House
 July 27, 1977—Reported to House from Ad Hoc Committee on Energy with amendment, H. Rept. 95-543, as H.R. 8444
 July 19, 1977—Provisions relating to utility rate design policy reported to House from the Committee on Interstate and Foreign Commerce, H. Rept. 95-496 (Part IV); referred to the Ad Hoc Committee on Energy
 May 2, 1977—Introduced as H.R. 6831, provisions relating to utility rate design policy referred to the Committee on Interstate and Foreign Commerce

H.R. 5263, S. 1472, H.R. 8444, AND H.R. 6831—PUBLIC LAW 95-618

Short Title as Enacted

Energy Tax Act

Factual Description.—Establishes tax credits to homeowners for installation of qualifying conservation devices, and for installation of renewable energy systems. Establishes a fuel inefficiency tax on motor vehicles. Exempts gasohol from Federal excise tax. Provides credits to business for energy conservation improvements. Establishes depletion allowances for production of methane and geothermal energy, and deduction of intangible drilling costs for geothermal. Establishes ten percent investment credit to employers purchasing vans for employee van pooling programs.

November 9, 1978—Enacted into Public Law as P.L. 95-618

CONFERENCE ACTION (H.R. 5263)

October 14, 1978—Senate agreed to conference report, rollcall No. 515 (60-17)
 October 14, 1978—Motion to recommit conference report to Committee of
 October 14, 1978—Motion to table conference report rejected in Senate, rollcall No. 508 (22-56)
 October 14, 1978—Cloture motion on conference report passed Senate, rollcall No. 497 (71-13)
 October 14, 1978—House agreed to conference report, rollcall No. 932 (231-168)
 October 12, 1978—Cloture motion filed in Senate on conference report
 October 12, 1978—Conference report filed in House, H. Rept. 95-1773
 October 11, 1978—Conference report filed in Senate, S. Rept. 95-1324
 November 4, 1977—Conference scheduled in Senate
 November 3, 1977—Conference scheduled in House

INITIAL SENATE ACTION

October 31, 1977—H.R. 5263 passed Senate, amended, rollcall No. 606 (52-35)
 October 31, 1977—H.R. 5263 considered in Senate
 October 29, 1977—H.R. 5263 considered in Senate

October 28, 1977—Motion to recommit to Committee on Appropriations with instructions passed Senate
 October 25-28, 1977—H.R. 5263 considered in Senate
 October 25, 1977—H.R. 5263 called up by unanimous consent in Senate
 October 21, 1977—Reported to Senate from Committee on Finance with amendment, S. Rept. 95-529, as H.R. 5263
 June 5, 1977—Introduced in the Senate as S. 1472; referred to Committee on Finance

INITIAL HOUSE ACTION

August 5, 1977—H.R. 8444 passed House, amended, rollcall No. 513 (244-177)
 August 5, 1977—Motion to recommit to Ad Hoc Committee on Energy with instructions rejected in House, rollcall No. 512 (203-219)
 August 1-5, 1977—H.R. 8444 considered in House
 August 1, 1977—H.R. 8444 called up by special rule in House
 July 27, 1977—Reported to House from Ad Hoc Committee on Energy with amendment, H. Rept. 95-543, as H.R. 8444
 July 13, 1977—Tax provisions (Title II) of H.R. 6831 reported to House from Committee on Ways and Means with amendment, H. Rept. 95-496 (Part III); referred to Ad Hoc Committee on Energy
 May 2, 1977—Introduced in the House as H.R. 6831; tax provisions referred to Committee on Ways and Means

H.R. 5037, S. 2057, S. 701, H.R. 7893, H.R. 8444, AND H.R. 6831—PUBLIC LAW 95-619

Short Title as Enacted

National Energy Conservation Policy Act

Factual Description.—Provides federally-subsidized loans for energy conservation improvements to homeowners. Provides grants to low-income families for weatherization improvements. Requires utilities to provide customers with information and to recommend appropriate conservation measures. Provides grants to educational institutions for energy conservation renovation, and technical assistance. Directs the Secretary of Energy to prescribe energy efficiency standards for household appliances and industrial equipment. Establishes a program for installation of solar photovoltaic cells and other conservation measures in Federal buildings.

November 9, 1978—Enacted into Public Law as Public Law 95-619

CONFERENCE ACTION

October 14, 1978—House agreed to conference report, rollcall No. 932 (231-168)
 October 10, 1978—Conference report filed in House, H. Rept. 95-1751
 October 9, 1978—Senate agreed to conference report, rollcall No. 467 (86-3)
 October 7, 1978—Conference report considered in Senate
 October 6, 1978—Conference report filed in Senate, S. Rept. 95-1294
 October 13, 1977—Conference scheduled in Senate
 October 13, 1977—Conference scheduled in House

INITIAL SENATE ACTION

September 13, 1977—H.R. 5037 passed Senate, amended, inserted S. 2057 as amended, S. 701 as passed, and certain provisions of H.R. 8444
 September 12-13, 1977—S. 2057 considered in Senate
 September 9, 1977—S. 2057 considered in Senate
 September 9, 1977—S. 2057 called up by unanimous consent in Senate
 August 18, 1977—S. 2057 placed on calendar in Senate
 August 18, 1977—Certain conservation provisions of S. 1469 reported from Committee on Energy and Natural Resources, S. Rept. 95-409, as a clean bill, S. 2057, the National Energy Conservation Policy Act
 July 20, 1977—S. 701 passed Senate, amended
 July 20, 1977—S. 701 considered in Senate
 July 20, 1977—S. 701 called up by unanimous consent in Senate
 July 15, 1977—Reported to Senate from Committee on Energy and Natural Resources with amendment, S. Rept. 95-351
 May 12, 1977—Provisions of S. 1469 relating to energy conservation programs in schools and hospitals reported to Senate from Committee on Human Resources with amendment, S. Rept. 95-141, as S. 701, the Education and Health Care Facilities Energy Efficiency Act

May 5, 1977—Introduced as S. 1469; conservation provisions referred to more than one committee

INITIAL HOUSE ACTION

October 13, 1977—House agreed to certain Senate amendments to H.R. 5037 with an amendment
 September 13, 1977—Certain provisions of H.R. 8444 inserted in H.R. 5037, as passed Senate, by the Senate
 August 5, 1977—H.R. 8444 passed House, amended, rollcall No. 513 (244-177)
 August 5, 1977—Motion to recommit to Ad Hoc Committee on Energy with instructions rejected in House, rollcall No. 512 (203-219)
 August 1-5, 1977—H.R. 8444 considered in House
 August 1, 1977—H.R. 8444 called up by special rule in House
 July 27, 1977—Reported to House from the Ad Hoc Committee on Energy with amendment, H. Rept. 95-543, as H.R. 8444
 July 19, 1977—Provisions of H.R. 6831 relating to residential energy conservation, energy efficiency of consumer products, and conservation programs for schools and institutions reported from Committee on Interstate and Foreign Commerce, H. Rept. 95-496 (Part IV); referred to Ad Hoc Committee on Energy
 July 13, 1977—Provisions of H.R. 6831 relating to conservation measures and alternative energy systems in federal buildings reported from Committee on Public Works and Transportation, H. Rept. 95-496 (Part I); referred to Ad Hoc Committee on Energy
 July 13, 1977—Provisions of H.R. 6831 relating to a Federal Van Pooling Program reported from Committee on Government Operations, H. Rept. 95-496 (Part II); referred to Ad Hoc Committee on Energy
 July 11, 1977—H.R. 7893, reported from Committee on Banking, Finance and Urban Affairs, H. Rept. 95-488 (Part I); referred to Ad Hoc Committee on Energy
 June 20, 1977—H.R. 7893, the National Weatherization Act, introduced in the House; referred to Committee on Banking, Finance and Urban Affairs
 May 2, 1977—Introduced as H.R. 6831; conservation provisions referred to several committees

H.R. 5146, S. 977, S. 1469, H.R. 8444, AND H.R. 6831—PUBLIC LAW 95-620

Short Title as Enacted

Powerplant and Industrial Fuel Use Act

Factual Description.—Amends the Energy Supply and Environmental Coordination Act of 1974 to require electric powerplants and major fuel-burning installations to utilize energy sources other than natural gas or petroleum. Exempts powerplants where accessibility to coal and storage facilities are inadequate, or where utilization of coal would violate federal and state environmental regulations. Provides for loans to existing power plants for purchase of pollution-control equipment.

November 9, 1978—Enacted into Public Law as Public Law 95-620

CONFERENCE ACTION (H.R. 5146)

October 14, 1978—House agreed to conference report, rollcall No. 932 (231-168)
 October 10, 1978—Conference report filed in House, H. Rept. 95-1749
 July 18, 1978—Senate agreed to conference report, rollcall No. 219 (92-6)
 July 17, 1978—Conference report considered in Senate
 July 14, 1978—Conference report considered in Senate
 July 14, 1978—Conference report filed in Senate, S. Rept. 95-988
 October 13, 1977—Conference scheduled in Senate
 October 13, 1977—Conference scheduled in House

INITIAL SENATE ACTION

September 8, 1977—H.R. 5146 passed Senate, amended, with certain provisions of H.R. 8444 and S. 977 incorporated, rollcall No. 356 (74-8)
 September 7-8, 1977—S. 977 considered in Senate
 September 7, 1977—S. 977 called up by unanimous consent in Senate
 July 25, 1977—Provisions of S. 1469 Industrial and utility fuel use reported from the Committee on Energy and Natural Resources with amendment, S. Rept. 95-361, as S. 977, the Coal Utilization Act

May 5, 1977—Introduced as S. 1469; industrial and fuel use provisions referred to Committee on Energy and Natural Resources
 March 10, 1977—S. 977, introduced in Senate; referred to Committee on Energy and Natural Resources

INITIAL HOUSE ACTION

October 13, 1977—House agreed to certain Senate amendments to H.R. 5146 with an amendment
 September 8, 1977—Certain provisions of H.R. 8444, as passed Senate, and S. 977 inserted in H.R. 5146, as passed Senate, by the Senate
 August 5, 1977—H.R. 8444 passed House, amended rollcall No. 513 (244-177)
 August 5, 1977—Motion to recommit to the Ad Hoc Committee on Energy with instructions rejected in House, rollcall No. 512 (203-219)
 August 1-5, 1977—H.R. 8444 considered in House
 August 1, 1977—H.R. 8444 called up by special rule in House
 July 27, 1977—Reported to House from the Ad Hoc Committee on Energy with amendment, H. Rept. 95-543, as H.R. 9444
 July 19, 1977—Provisions of H.R. 6831 relations to industrial and utility fuel use reported from Committee on Interstate and Foreign Commerce, H. Rept. 95-496 (Part IV); referred to the Ad Hoc Committee on Energy
 May 2, 1977—Introduced as H.R. 6831; provisions relating to industrial and utility fuel use referred to Committee on Interstate and Foreign Commerce

H.R. 5289, S. 2104, H.R. 8444, AND H.R. 6831—PUBLIC LAW 95-621

Short Title as Enacted

Natural Gas Policy Act

Factual Description.—Extends Federal price regulation to intrastate natural gas until 1985. Provides for lifting of price controls in 1985 on newly discovered interstate gas and most intrastate gas. Includes provisions for incremental pricing, and emergency allocation authorities during supply emergency.
 November 9, 1978—Enacted into Public Law as Public Law 95-621

CONFERENCE ACTION (H.R. 5289)

October 14, 1978—House agreed to conference report, rollcall No. 932 (231-168)
 October 10, 1978—Conference report filed in House, H. Rept. 95-1752
 September 27, 1978—Senate agreed to conference report, rollcall No. 411 (57-42)
 September 26, 1978—Motion to recommit conference report with instructions rejected in Senate, rollcall No. 408 (36-55)
 September 25-26, 1978—Conference report considered in Senate
 September 19, 1978—Motion to recommit conference report to the Committee of Conference with instructions rejected in Senate, rollcall No. 378 (39-59)
 September 18-19, 1978—Conference report considered in Senate
 September 15, 1978—Motion to recommit to the Committee of Conference with instructions filed in Senate
 September 11-15, 1978—Conference report considered in Senate
 August 18, 1978—Conference report filed in Senate, S. Rept. 95-1126
 April 13, 1978—Motion that the conference committee meeting be closed to the public rejected in House, rollcall No. 223 (6-371)
 October 13, 1977—Conference scheduled in Senate
 October 13, 1977—Conference scheduled in House

INITIAL SENATE ACTION

October 4, 1977—H.R. 5289 passed Senate, amended, inserted provisions of S. 2104, as amended, and certain provisions of H.R. 8444
 October 4, 1977—H.R. 5289 considered in Senate
 October 3-4, 1977—S. 2104 considered in Senate
 October 1, 1977—S. 2104 considered in Senate
 September 30, 1977—S. 2104 considered in Senate
 September 29, 1977—Motion to recommit S. 2104 to the Committee on Energy and Natural Resources with instruction passed Senate
 September 26-29, 1977—S. 2104 considered in Senate
 September 26, 1977—Cloture motion passed Senate on Printed Amendment Number 862, rollcall No. 408 (77-17)
 September 24, 1977—S. 2104 considered in Senate

September 24, 1977—Cloture motion filed on Senate Printed Amendment Number 862 (Second Motion)
 September 23, 1977—S. 2104 considered in Senate
 September 23, 1977—Cloture motion filed on Senate Printed Amendment Number 862 (First Motion)
 September 19–22, 1977—S. 2104 considered in Senate
 September 16, 1977—S. 2104 considered in Senate
 September 16, 1977—S. 2104 called up by unanimous consent in Senate
 September 15, 1977—S. 2104 reported to Senate from the Committee on Energy and Natural Resources, S. Rept. 95–436; placed on calendar in Senate
 September 17, 1977—S. 2104, the Natural Gas Policy Act, introduced in Senate
 May 5, 1977—S. 1469, the National Energy Act, introduced in Senate

INITIAL HOUSE ACTION

October 13, 1977—House agreed to certain Senate amendments to H.R. 5289 with an amendment
 October 4, 1977—Provisions of S. 2104, as amended, and H.R. 8444 inserted in H.R. 5289, as passed Senate, by the Senate
 August 5, 1977—H.R. 8444 passed House, amended, rolcall No. 513 (244–177)
 August 5, 1977—Motion to recommit to the Ad Hoc Committee on Energy with instructions rejected in House, rolcall No. 512 (203–219)
 August 1–5, 1977—H.R. 8444 considered in House
 August 1, 1977—H.R. 8444 called up by special rule in House
 July 27, 1977—Reported to House from Ad Hoc Committee on Energy with amendment, H. Rept. 95–543, as H.R. 8444
 July 19, 1977—Provisions of H.R. 6831 relating to natural gas pricing policy, reported from Committee on Interstate and Foreign Commerce, H. Rept. 95–496, (Part IV); referred to House Ad Hoc Committee on Energy
 May 2, 1977—Introduced as H.R. 6831; provisions relating to natural gas pricing policy referred to Committee on Interstate and Foreign Commerce

S. 1811

Short Title(s) as Amended by the Senate

ERDA Authorization Act of 1978–Civilian Applications

Factual Description.—Authorizes appropriations to the Energy Research and Development Administration for fiscal year 1978 for various nuclear research programs. Amends the Atomic Energy Act of 1954 to require that production as enrichment services be offered in a manner designed to protect the domestic uranium industry.

Amends the Atomic Energy Community Act of 1955 to authorize continued assistance payments to Los Alamos, New Mexico. Prohibits the use of funds for the Lawrence Livermore Laboratory unless an employee grievance procedure is established.

CHRONOLOGY

December 7, 1977—Certain conference provisions inserted in S. 1340 as passed House
 November 5, 1977—Vetoed by President, S. Doc. 95–73
 October 25, 1977—Measure presented to President
 October 25, 1977—Measure enrolled in Senate
 October 25, 1977—Measure enrolled in House
 October 20, 1977—Senate agreed to conference report (Second Report)
 October 20, 1977—House agreed to conference report, rolcall No. 677 (366–52)
 October 17, 1977—Conference report filed in House, H. Rept. 95–714
 October 17, 1977—Conference scheduled in Senate (Second Conference)
 October 14, 1977—Conference scheduled in House (Second Conference)
 October 12, 1977—Senate agreed to conference report
 October 7, 1977—Conference report filed in Senate, S. Rept. 95–482
 October 7, 1977—Conference report filed in House, H. Rept. 95–671
 September 27, 1977—Conference scheduled in Senate
 September 23, 1977—Conference scheduled in House
 September 23, 1977—Measure passed House, amended
 September 23, 1977—Measure considered in House
 September 23, 1977—Measure called up by unanimous consent in House
 July 12, 1977—Measure passed Senate, amended

July 12, 1977—Measure considered in Senate
 July 11, 1977—Measure considered in Senate
 July 11, 1977—Measure called up by unanimous consent in Senate
 July 1, 1977—Reported to Senate from the Committee on Energy and Natural Resources, S. Rept. 95-328
 June 30, 1977—Placed on calendar in Senate
 June 30, 1977—Reported to Senate from the Committee on Energy and Natural Resources (without written report)

H.R. 12928

Short Title(s) as Amended by the Senate

Energy and Water Development Appropriation Act

Factual Description.—Makes appropriations for fiscal year 1979 to the Department of Energy, the Department of the Army, the Department of the Interior and related agencies for public works.

CHRONOLOGY

October 5, 1978—Motion to override veto failed of passage in House, rollcall No. 877 (223-190)
 October 5, 1978—Vetoed by President, H. Doc. 95-393
 October 2, 1978—Measure presented to President
 October 2, 1978—Measure enrolled in Senate
 October 2, 1978—Measure enrolled in House
 September 27, 1978—Senate agreed to House amendment
 September 27, 1978—Senate agreed to conference report, rollcall No. 412 (86-9)
 September 14, 1978—House receded and concurred in certain Senate amendments with an amendment
 September 14, 1978—House receded and concurred in certain Senate amendments
 September 14, 1978—House agreed to conference report, rollcall No. 777 (319-71)
 August 14, 1978—Conference report filed in House, H. Rept. 95-1490
 August 11, 1978—Conference scheduled in House
 August 10, 1978—Conference scheduled in Senate
 August 10, 1978—Measure passed Senate, amended, rollcall No. 313 (89-5)
 August 10, 1978—Measure considered in Senate
 August 10, 1978—Measure called up by unanimous consent in Senate
 August 7, 1978—Reported to Senate from the Committee on Appropriations with amendment, S. Rept. 95-1069
 June 19, 1978—Referred to Senate Committee on Appropriations
 June 16, 1978—Measure passed House, amended, rollcall No. 467 (263-59)
 June 16, 1978—Motion to recommit to Committee on Appropriations failed of passage in House, rollcall No. 466 (93-228)
 June 16, 1978—Measure considered in House
 June 15, 1978—Measure considered in House
 June 15, 1978—Measure called up by unanimous consent in House
 June 1, 1978—Reported to House from the Committee on Appropriations, H. Rept. 95-1247

APPENDIX II

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